

Brighton & Hove City Council

Cabinet

Agenda Item 155

Subject: Large Panel Systems Building and Estates Renewal - Section 105, Rehousing Policy and Leaseholder Offer Consultation Programme

Date of meeting: Thursday, 19 March 2026

Report of: Cabinet Member for Housing

Lead Officer: Corporate Director for Homes & Care

Contact Officer: Darren Levy

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Ward(s) affected: All wards, with specific impact in Hollingdean & Fiveways, Kemptown, and Whitehawk & Marina

Key Decision: Yes

Reason(s) Key: Is significant in terms of its effects on communities living or working in an area comprising two or more electoral divisions (wards).

For general release

1. Purpose of the Report and Policy Context

1.1 This report follows Cabinet's decision in July 2025 to progress, in principle, with recommendations regarding the preferred option to regenerate all eight Large Panel System (LPS) buildings, inclusive of demolition of the existing blocks and creation of new housing on the sites. Cabinet also instructed officers at that time to undertake statutory and wider consultation on the proposed approach, including the development of a Rehousing Policy, Local Lettings Plan and leaseholder offer.

1.2 This report sets out the outcomes of the consultation undertaken in relation to St James's House (Kemptown); Nettleton Court and Dudeney Lodge (Hollingdean); and the Whitehawk "Bird Blocks": Falcon, Heron, Kestrel, Kingfisher, and Swallow Courts. The consultation covered:

- Section 105 (Housing Act 1985) requirements, leaseholders, temporary accommodation and private tenants in relation to the preferred options of demolition and regeneration.
- The Council's Rehousing Policy and draft Local Lettings Plan in accordance with the Council's Allocations Policy 2025 as it impacted upon all of the above stakeholders save for leaseholders.

- The Leaseholder Offer for impacted properties
- 1.3 During the consultation programme an additional initiative has been proposed to support Secure tenants who may want to exercise their Right to Buy and who would otherwise struggle to purchase in the open market instead.
- 1.4 This report accords with the Council Plan 2023 – 2027, specifically

Outcome 2: A Fair and Inclusive City

- *Homes for everyone*
 1. Improve housing quality
 2. Increase housing supply
- 2. Recommendations**
- 2.1 Cabinet is asked to note that each site has been subject to a distinct options appraisal and consultation process, and that the recommendations set out in paragraphs 2.2 to 2.4 constitute separate decisions for each site, presented collectively for ease of reference.
- 2.2 Cabinet is asked to note the outcomes of the consultation (Appendix 2) relating to the preferred option and to approve the taking forward of the recommended option to demolish and replace St James’s House (Kempton); Nettleton Court & Dudeney Lodge (Hollingdean); and Heron, Kestrel, Swallow, Falcon and Kingfisher Courts (collectively the Whitehawk ‘Bird Blocks’) with new homes in keeping with the housing needs of the city, and regeneration of the sites.
- 2.3 Cabinet agrees to authorise the service of “initial demolition notices” for St James’s House (Kempton); Nettleton Court & Dudeney Lodge (Hollingdean); and Heron, Kestrel, Swallow, Falcon and Kingfisher Courts (collectively the Whitehawk ‘Bird Blocks’) in accordance with Schedule 5A of the Housing Act 1985.
- 2.4 Cabinet agrees to delegate authority to the Corporate Director Homes and Adult Social Care to determine the timing and service of the initial demolition notices for each site.
- 2.5 Cabinet is asked to note the outcome of the consultation (as detailed in this report) relating to the preferred option and agrees to approve the Rehousing Policy at Appendix 3 and Local Lettings Plan at Appendix 4 for the eight LPS blocks.
- 2.6 Cabinet agrees to delegate authority to the Corporate Director of Homes and Adult Social Care to actively engage with all impacted leaseholders to

facilitate the acquisition of the leaseholders' legal interests within the 8 LPS blocks.

- 2.7 Cabinet agrees to delegate authority to the Corporate Director of Homes and Adult Social Care to take all steps necessary to develop an offer for the provision of lease/property swaps for those resident leaseholders within the eight LPS Blocks who are experiencing financial hardship and are unable to purchase an alternative property on the open market.
- 2.8 Cabinet approves the launch of a pilot Home Ownership Pact Scheme for eligible tenants residing in the eight LPS blocks, as detailed in Section 8.
- 2.9 Cabinet agrees to approve a budget of £0.4m to operate the Pilot Home Ownership Pact scheme in 2026/27.

3 Context and Background Information

- 3.1 A programme of options appraisals of the Council's Large Panel Systems (LPS) blocks was initiated in November 2024, following structural surveys that identified structural and sustainability issues earlier that year. A range of mitigating measures were taken and are ongoing, to ensure the buildings remain safe to live in while the long-term future of the buildings is decided.
- 3.2 The outcomes of the options appraisals together with the associated recommendations and a summary of proposed mitigating actions, were presented to Cabinet on 17th July 2025 and are available for viewing within the background documents appended to this report.
- 3.3 The three options that were explored as part of the appraisals were: strengthening, strengthening and refurbishment, and demolition and regeneration.
- 3.4 Cabinet approved in principle recommendations regarding the preferred option to regenerate all eight LPS buildings, inclusive of demolition of the existing blocks and creation of new housing on the sites.
- 3.5 The options of 'strengthening' and 'strengthening and refurbishment' were discounted due to costs which are unviable for the Council alongside its other stock investment commitments, and secondly due to longevity. Any strengthening solution would require further review and possibly further strengthening work within a maximum of 20 years.
- 3.6 These decisions triggered consultation duties, including statutory consultation duties under Section 105 of the Housing Act 1985.
- 3.7 Section 105 of the Housing Act 1985 requires Councils to consult secure tenants on matters of housing management that substantially affect them, including proposals for demolition and regeneration. Given the significance of the decisions and in line with the principle of consultation, the Council also included existing Temporary Accommodation households, Seaside Homes households, leaseholders and private sector tenants of leaseholders, within

the consultation. Subject to Cabinet approving the recommendations outlined in Section 2 of this report, further and wider consultation will be carried out to cover the next stages of the projects as future development and demolition plans are finalised.

- 3.8 In carrying out the options appraisals, a further survey of the blocks was carried out by Ridge and Partners LLP. This is detailed in the 17th July 2025 Cabinet papers in Sections 3 and 4, which identified that the Council would need to carry out either strengthening works or vacate the buildings within a likely period of 5 years. The scale of works required to strengthen and refurbish the buildings would also likely require empty buildings should these options be progressed.
- 3.9 To facilitate a rehousing programme across the eight LPS blocks, at the 17th July 2025 meeting Cabinet approved recommendations for all LPS buildings, “for officers to develop and consult upon a Rehousing Policy and draft Local Lettings Plan which would apply to the permanent rehousing of all secure council tenants and those who are accommodated by the Council under a statutory duty and who are affected by the regeneration scheme”.... “and which incorporates the proposed tenant offer described in the report, including in relation to the priority of existing secure council tenants” “for allocation to the new housing on the site, in keeping with the intention to offer right to return”.
- 3.10 Following the report to Cabinet on 17th July 2025, three Resident Advisory Groups (RAGs) were established to represent each location where LPS constructed buildings are situated. Workshops were held with each of the Resident Advisory Groups (RAGs) to develop and co-design much of the consultation survey.
- 3.11 Given the consultation requirements outlined above in relation to consultation duties, the Rehousing policy and draft Local Lettings Plan, and the leaseholder offer, the Council initiated a programme of consultation with residents of the LPS buildings on 13th October 2025 which closed on 12th January 2026.
- 3.12 Given the potential impact of the draft Local Lettings Plan on many people on the housing register, a consultation exercise was also carried out with people on the wider housing register.
- 3.13 The consultation programme included an online YourVoice survey (a summary of responses is provided in Appendix 1 alongside a series of in-person engagement events. Full details of the consultation activities are set out in Section 4 of this report, with Sections 5 to 7 presenting the feedback received.
- 3.14 In addition, we have explored an option to introduce a pilot Home Ownership Pact Scheme for secure tenants living in the eight LPS blocks, enabling tenants to own homes in the private sector as an alternative to the Right to Buy (RTB). This is outlined in Section 8 of this report.

- 3.15 Feedback and views were also sought from People Overview and Scrutiny on 28th January 2026. Overview and Scrutiny highlighted several key themes:
- The need for the Council to maintain a strong focus on keeping residents regularly updated and ensuring clear and transparent communication remains a core priority of the programme.
 - The importance of continuing efforts to support vulnerable residents living in the blocks.
 - The need to provide specific support for residents of LPS buildings in relation to mental health and wellbeing.
 - The importance of making every effort to engage with residents who may not attend meetings or feel able to approach the Council for help or support.
- 3.16 These recommendations will feed directly into the implementation and programme planning for the long-term LPS programme of activity.
- 3.17 Seaside Homes were invited to provide a response to the consultation. They submitted a comprehensive response, provided in confidence, which will be considered as we plan the next phases of the programme.
- 3.18 Seaside Homes are leaseholders of 45 homes within the LPS buildings, currently used as Temporary Accommodation for households to whom the Council holds a Homelessness duty. All the individual households were included within the wider resident consultation. The Council will continue to engage with Seaside Homes as the programme develops.
- 3.19 Based on the feedback to the Consultation survey outlined in Appendix 2 and Section 5 below, this report recommends that Cabinet approves the taking forward of the recommended option to demolish and replace the eight LPS blocks on all three sites with new homes in keeping with the housing needs of the city, and regeneration of the sites. This will include the issuing of 'initial demolition notices' and will mean work will continue to progress on plans to provide new homes on each of the LPS sites.
- 3.20 We will progress with feasibility work and the development of design options to deliver new homes for residents, alongside assessing both in-house and alternative delivery vehicle approaches to ensure viable schemes. This work will incorporate the consultation feedback received for each site. For Whitehawk, the masterplan is progressing and the required procurement processes are scheduled to commence shortly.
- 3.21 For all three sites, we are adopting a placemaking approach to delivery, exploring wider opportunities in each area. Taking a placemaking approach will enable us to deliver in line with our key principles of increasing council housing in the city, ensuring placemaking plans that create diverse communities through mixed tenures and that the plans are financially viable.

- 3.22 Based on the feedback that we have received to the draft Rehousing Policy and Local Lettings Plan, as outlined in Section 6 below, this report is recommending a range of changes to the 'drafts' and that Cabinet now approve these policies across all eight LPS buildings.
- 3.23 Based on feedback from leaseholders as outlined in Section 7 below, this report recommends that the Council continue with the existing buyback programme and proactively engage with leaseholders throughout its delivery. It is also recommended that further investigation of a potential 'lease swap' option is progressed. The latter will be subject to further Cabinet approval.
- 3.24 Work to advance the development options for each site is progressing within the scope of the funding approved by Cabinet in July.

4 Consultation Programme Overview

- 4.1 The consultation covering the preferred option, the LLP and Rehousing Policy and the Leaseholder Offer was launched on Monday 13th October 2025 and ran until Monday 12th January 2026. Residents were invited to take part via an online YourVoice survey hosted on the Council's website, with paper copies available on request. A range of engagement activities were also delivered through multiple channels and were personalised to reflect residents' varied needs, circumstances and preferences.
- 4.2 A range of workshops were held with the Resident Advisory Groups prior to the launch of the consultation, to help shape the consultation:
- Thursday 28th August 2025 (11.00-1.00pm & 6.00-8.00pm) - Draft LLP and Rehousing Policy Workshop, Hosted at Leach Court, Brighton for all three RAG groups
 - Monday 22nd September 2025 (5:30–7:00pm) – RAG Meeting, St James's House
 - Wednesday 24th September 2025 (5:30–7:00pm) – RAG Meeting, Nettleton Court & Dudeney Lodge
 - Thursday 25th September 2025 (5:30–7:00pm) – RAG Meeting, Whitehawk 'Bird Blocks'
- 4.3 To support participation and gather feedback, the Council then held a series of consultation and visioning workshops. These sessions took place on:
- Monday 24th November 2025 (5:30–7:00pm) – St James's House
 - Tuesday 25th November 2025 (5:30–7:00pm) – Nettleton Court & Dudeney Lodge
 - Thursday 27th November 2025 (5:30–7:00pm) – Whitehawk 'Bird Blocks'
- 4.4 In addition, drop-in resident days were delivered across all 3 LPS sites that created approachable, informal settings for discussions and supported

residents who prefer conversational rather than formal engagement. These took place on:

- Monday 1st December 2025 – Nettleton Court & Dudeney Lodge
 - Wednesday 3rd December 2025 – St James’s House
 - Tuesday 9th December 2025 – Whitehawk ‘Bird Blocks’
- 4.5 To ensure maximum engagement, two door-knocking campaigns were undertaken across all eight blocks. These campaigns offered individual support to residents in completing the survey including interpreter-supported sessions provided on request to residents with language barriers; health needs or anxiety, and accessibility issues, and ensuring equal access to information. These were held on:
- Monday 24th November 2025 to Friday 5th December 2025
 - Thursday 8th January 2026 to Monday 12th January 2026
- 4.6 Monthly resident drop-ins were held at each site throughout the programme of consultation.
- 4.7 A total of 458 responses were received to the survey. Of these, 312 respondents (68.1%) were residents, 133 respondents (29%) were individuals currently on the housing register, and 13 respondents (2.8%) did not fall into either category.
- 4.8 Of the 312 residents, 269 were secure council tenants, 34 temporary accommodation tenants (including Seaside Homes tenants), 2 private tenants, 7 leaseholders. Respondents were directed through different sections of the survey depending on their circumstances.
- 4.9 Feedback gathered through informal conversations at engagement events has been an important complement to the 458 survey responses. While all residents were encouraged and supported to complete the online survey, it is recognised that some may have chosen not to do so.
- 4.10 During the consultation period, all applicants on the Housing Register- regardless of their current tenure-were contacted by email on three separate occasions and invited to provide feedback. In addition, a prominent notification was placed on the homepage of the online bidding system, including a direct link to the consultation and information outlining how the proposed policy change could adversely affect Housing Register applicants. This approach ensured that residents actively seeking Council housing were fully informed of both the consultation and the potential implications for them.
- 4.11 The Council places strong importance on all forms of resident feedback and continues to document and retain this information to ensure that residents’ views and concerns are clearly understood. Where appropriate, this feedback is also informing the ongoing development and refinement of the programme.

5 Consultation Response Highlights in relation to the Preferred Option

- 5.1 As outlined at 3.7 in this report, under the Housing Act (1985) Section 105, all councils have a legal obligation to consult secure tenants on proposed changes to the management, maintenance, improvement or demolition of the homes they manage, as well as changes to the provision of services or amenities. In addition, the Council has duty to consult leaseholders, TA and private tenants.
- 5.2 After Cabinet approved the in-principle recommendation in July 2025 to pursue the preferred option of full regeneration of the LPS buildings, involving demolition and redevelopment, the Council commenced the required consultation in October 2025 as part of the wider consultation process outlined in Section 4.
- 5.3 The full consultation report (Appendix 2) provides a detailed summary of the Council's consultation with secure tenants, leaseholders, TA and private tenants on the in-principle recommendation to demolish and redevelop the eight LPS buildings.
- 5.4 A summary of high-level, site-specific statistics is provided below under 5.5 for St James's House, 5.10 for Nettleton Court & Dudeney Lodge, and 5.15 for the Whitehawk 'Bird Blocks', highlighting the key themes and insights drawn from the full report. Residents across all sites contributed detailed feedback on their homes and the surrounding area, including what they value, the challenges they face, and the indoor and outdoor facilities they would like to see incorporated into any future development.
- 5.5 **St James House**
- 5.6 The consultation received 74 responses out of 120 households at St James's House, representing a response rate of 61.6%. These were comprised of 64 secure council tenants, 5 temporary accommodation tenants (including Seaside Homes tenants), 2 private tenants, and 3 leaseholders.
- 5.7 Key resident insights:
- There is strong resident understanding of the Council's position, with 88% clear why refurbishment is not the preferred option, and 92% clear why redevelopment is the preferred option.
 - Residents value the location highly, particularly transport links, access to shops and services, and proximity to the seafront and town centre.
 - Home features most appreciated include room size and layout, private outdoor spaces such as balconies, and views from windows.

- Neighbourhood concerns are dominated by safety issues, with 69% reporting street based antisocial behaviour, alongside worries about feeling unsafe and problems with waste and rubbish.

5.8 Implications summary for design and engagement:

- The Council recognises residents' strong appreciation for outdoor space and balconies, sound proofing, improved water pressure, and storage space. These priorities will be considered as design work progresses and will adhere to building safety regulation standards where necessary. Two lifts will be provided as a minimum to any future high rise development proposals.
- The council intends to address resident safety concerns by applying Secured by Design (SBD) principles to redevelopment proposals that will integrate crime prevention measures into building design to create safer, more secure environments. Appropriate bin storage facilities will also form part of any future design process.
- Future proposals will seek to retain and complement the areas well connected, accessible character, ensuring that new development supports and integrates with existing local amenities valued by residents.
- The Council will continue to provide clear, accessible communications about redevelopment proposals and maintain ongoing engagement regarding existing building maintenance to support resident reassurance.

5.9 Conclusion:

- While many of the concerns raised relate to long-standing building and environmental issues, the majority of residents demonstrated a strong grasp of why refurbishment is not being pursued and why redevelopment is considered the most viable route forward.
- Taken together, the feedback provides a clear picture of what matters most to residents at St James's House: a well-connected location, homes that are comfortable and practical, and a neighbourhood where people feel safe.
- This insight will play an important role in shaping the next stage of design work and future engagement, ensuring that any proposals respond directly to the priorities residents have identified and support a safer, more resilient living environment over the long term.

5.10 **Nettleton Court & Dudeney Lodge**

5.11 The consultation received 100 responses out of 174 households at Nettleton Court & Dudeney Lodge, representing a response rate of 57.4%. These were comprised of 88 secure council tenants, 10 temporary accommodation tenants (including Seaside Homes tenants), and 2 leaseholders.

5.12 Key resident insights:

- Most residents understood the Council's position, with 91% clear about why refurbishment is not preferred and 88% clear about why demolition and redevelopment is proposed.
- Residents value their homes and location highly, particularly the size and layout of rooms, the views, and their balconies/outdoor space. In the area, the strongest positives were transport links, proximity to shops and services, and green spaces nearby.
- A significant proportion reported no issues with their homes or the area. Where concerns were raised, they focused on a lack of storage, and noise/soundproofing issues, while neighbourhood concerns focused on antisocial behaviour.
- When thinking about the future of the area, residents emphasised the importance of feeling safe, having access to local services, and easy accessibility to transport links, indicating a desire for a well-supported and cohesive neighbourhood.

5.13 Implications summary for design and engagement:

- The council recognises the strong resident preference for good room sizes, balconies, views, better storage, and improved soundproofing. These elements will be explored through the design process, subject to feasibility and statutory consultees.
- The council intends to address resident safety concerns by applying Secured by Design (SBD) principles to redevelopment proposals that will integrate crime prevention measures into building design to create safer, more secure environments.
- Any redevelopment proposals should protect and complement the location benefits residents value most – transport connections, local shops and services, and proximity to key destinations.
- Residents expect clear, reliable updates. The Council will continue to ensure accessible, timely communication regarding redevelopment proposals and the ongoing management of existing buildings to provide reassurance as the programme progresses.

5.14 Conclusion:

- While many residents reported satisfaction with their current homes and surroundings, the themes of storage, soundproofing, safety, and neighbourhood conditions were consistently raised. Importantly, most respondents recognised why refurbishment is not the preferred option and expressed an informed understanding of the case for demolition and redevelopment.

- The feedback from residents of Nettleton Court & Dudeney Lodge reflect both a strong connection to their homes and a clear understanding of the wider issues influencing the Council's position.
- The Council acknowledges these insights and will continue to ensure that residents' priorities — including safety, transport connectivity, access to services, and the quality of future homes — are embedded in the design development and ongoing engagement as the programme progresses.

5.15 Whitehawk 'Bird Blocks'

5.16 The consultation received 138 responses out of 236 households in the Whitehawk 'Bird blocks', representing a response rate of 58.4%. These were comprised of 117 secure council tenants, 19 temporary accommodation tenants (including Seaside Homes tenants), and 2 leaseholders.

5.17 Key resident insights:

- 86.9% of residents understood why refurbishment is not the preferred option, and 90.5% understood why the preferred option is demolition and redevelopment.
- Residents most appreciated the size and layout of rooms, followed by heating, hot water and warmth and existing balconies or outdoor space.
- The most frequently cited issues about current homes included poor water pressure, noise and soundproofing, inadequate bin storage, and anti-social behaviour in the area, though a large portion of respondents did not report any issues with their current homes or the area.
- Residents would like to see balconies, good lighting for safety, and local shops as part of any new development, including more than one lift in blocks, a community room for meetings/activities, and easy access in and out for residents.
- Residents felt that local shops, protecting existing green spaces, and facilities for young people were also priorities for the area's future.

5.18 Implications summary for design and engagement:

- Residents appreciated the size and layout of their existing homes, followed by heating, hot water and warmth and existing balconies or outdoor space. This feedback will be shared as designs progress, with options explored to retain or enhance these features where possible.
- Given concerns around existing bin storage and anti-social behaviour in the area, future proposals will apply Secured by Design (SBD) principles, including looking at bin storage solutions, and considering how layout can reduce opportunities for anti-social behaviour.

- Residents' top outdoor priorities – balconies, good lighting for safety, and access to local shops – and indoor priorities such as multiple lifts in blocks, should be considered as part of the design development process subject to feasibility and statutory consultees.
- Future proposals should maintain transport connectivity, proximity to amenities, and green space access that residents value most, ensuring new development supports the area's established character.
- The Council will continue to provide clear, accessible updates on redevelopment proposals as proposals progress.

5.19 Conclusion:

- The consultation showed a broad understanding of the structural issues affecting the Whitehawk blocks, with most residents recognising why refurbishment is not the preferred option and why demolition and redevelopment offer a more sustainable long-term solution.
- Overall, the feedback from the Whitehawk 'Bird Blocks' demonstrates that residents value many aspects of their existing homes and neighbourhoods, while also highlighting clear areas where improvements are needed.
- The Council acknowledges the key themes raised through the engagement and will continue to ensure that these insights directly shape the design development, rehousing approach, and ongoing communication with residents as the programme progresses.
- The Council also acknowledges the ongoing development of the wider Whitehawk masterplan, which continues to progress, with the necessary procurement processes scheduled to commence shortly. Feedback gathered through the engagement and consultation activity will be incorporated into the further development of the Whitehawk masterplan.

5.20 **Summary of Seaside Homes' Consultation Response on the LPS Regeneration Programme**

5.21 Brighton & Hove Seaside Community Homes (Seaside), who own the leases of 45 homes within the LPS buildings and have a Local Delivery Vehicle arrangement with the Council for the provision of temporary accommodation which includes these homes, were also invited to submit a response to the consultation. They submitted a comprehensive response, provided in confidence, which will be considered as we plan the next phases of the programme.

5.22 Seaside's response highlighted a range of areas where they sought assurance around the support and solutions that should be provided for their residents during the process of them being rehoused from the blocks. This feedback will be reviewed as part of the implementation programme planning for the overarching rehousing programme.

5.23 Next Steps

- 5.24 The Council has now completed its legal obligation to consult with secure tenants regarding the first phase of this process, as well as its duty to consult leaseholders, TA and private tenants. Following the results of the consultations set out in this report and the options analyses provided to cabinet in July 2025, this report recommends that the preferred option of demolition and redevelopment should be taken forward for each site.
- 5.25 Cabinet is also being asked to approve the 'Initial Demolition Notice' for each site which will suspend the Right to Buy during this period.
- 5.26 The Council has the power to issue 'initial demolition notices' for each secure tenant on each of the sites under the Housing Act 1985. The notice formally signals the Council's intention to demolish and remains in force for up to seven years from date of service. The Corporate Director of Housing and Adult Social Care will need to give consideration as to the timing of the service of the initial demolition notices, though it is anticipated that the notice will be served as soon as possible for St James's house, and within the next financial year (April 2026-March 2027) for Nettleton Court & Dudeney Lodge, and the Whitehawk 'Bird Blocks'.
- 5.27 The Council currently anticipates demolishing the LPS blocks once they are fully vacated, expected within the next five to seven years. Whilst seven years is the maximum period allowed for by statute, the expectation is that works of demolition will be completed promptly.
- 5.28 Further consultation will continue as plans evolve, ensuring residents and stakeholders remain closely involved in shaping the next stages of the programme. This will include targeted engagement with local neighbours—such as adjoining property owners, nearby residents, local community groups and relevant businesses—particularly at key design and development milestones. These conversations will take place before any significant proposals are finalised, allowing local feedback to inform the emerging plans.
- 5.29 Any future decision to proceed with demolition would be subject to a separate approval process and the issuing of a 'Final Demolition Notice', which would end any existing Right to Buy claim and prevents new applications. Additional statutory consultation requirements would also apply at that stage, providing further opportunities for those directly affected to comment.
- 5.30 In line with the July Cabinet report, officers are progressing plans for the redevelopment of each site. Individual schemes will be brought back to Cabinet for approval at the appropriate stages.
- 5.31 At each stage requiring approval, development proposals will be supported by a detailed business case demonstrating affordability and long-term financial viability. This will include full capital and revenue implications, funding assumptions, comprehensive risk assessments, and evidence of

deliverability. Proposals will also demonstrate alignment with corporate priorities, housing need, and value for money principles.

6 Local Lettings Plan & Rehousing Policy Consultation

- 6.1 The LLP forms part of the Council's wider Allocations Policy, which enables the use of local lettings plans to address specific local issues such as those arising from major regeneration schemes.
- 6.2 The draft Local Lettings Plan (LLP) sets out the Council's proposed principles and procedures for allocating suitable alternative accommodation to secure council tenants living in the LPS blocks affected by the regeneration programme (as defined in Section 2). Its objectives are to ensure timely decanting in line with regeneration timescales, manage rehousing and compensation fairly.
- 6.3 Suitable alternative accommodation must meet statutory requirements including equivalent security of tenure and appropriateness in terms of rent, size and location, under Schedule 2, Part III of the Housing Act 1988.
- 6.4 The LLP outlines the allocation process and rehousing options for secure tenants who will lose their permanent homes because of the LPS regeneration programme. The Council's Housing Allocations Policy allows for the adoption of an LLP and sets out specific steps that must be followed in developing one.
- 6.5 The LLP introduces a "Priority to LPS" category within the choice-based lettings system to reflect the immediate need to rehouse secure tenants affected by regeneration. It also enables direct offers of suitable accommodation in exceptional circumstances, in line with the Allocations Policy.
- 6.6 Secure tenants opting to remain in Council housing will retain their security of tenure and will be rehoused into suitable accommodation.
- 6.7 Prior to the adoption of the LLP, Cabinet agreed on the 17th July 2025 that all impacted LPS secure tenants would receive Band B Management Transfer priority (unless already on an equivalent or higher banding) and that those permanently moving out of the affected blocks from that date would be eligible for financial compensation.
- 6.8 Appendix 5 provides a comparison between the current Allocations Policy incorporating these changes as at 17th July 2025, and the final draft LLP. The key differences are like for like offers unless households are overcrowded; the introduction of the 'Priority to LPS' bidding category; flexible bidding timescales; and the requirement to make two suitable offers.
- 6.9 Properties subject to the Local Lettings Plan will be clearly labelled "Priority to LPS" within the advertisements on the Choice-based letting scheme. This applies to BHCC properties only. Eligibility for bidding on these properties will be applied sequentially to secure tenants by block in line with the

rehousing programme for each block. This will be St James's House first, then Nettleton and Dudeney and lastly the 5 bird blocks.

- 6.10 Identifying properties for this category will be based upon matching (locating one and two-bedroom properties save where there is overcrowding) which as far as possible meet the requirements of secure tenants being moved out of the LPS blocks, rather than a percentage of all BHCC void properties. This means we will not apply a blanket proportion of voids to the LPS programme. Instead, we will review voids as they arise and identify those that match the housing need profile of each block.
- 6.11 The Rehousing Policy sets out the approach taken when secure and introductory tenants lose their home because of the Council's Housing Regeneration Programme.
- 6.12 For secure tenants who will be permanently rehoused, the aims of the policy are to ensure early and ongoing consultation, enable tenant influence over rehousing options, minimise disruption, provide practical and financial support, make best use of available stock, minimise rent loss, and ensure that blocks are decanted in accordance with regeneration timescales through the LLP.
- 6.13 Each household will have a Single Point of Contact (SPOC) to guide them through the process. Support will be tailored to individual circumstances and may include multi--agency involvement, practical assistance and financial help, addressing the key areas expressed by residents in the survey and through resident engagement activities.
- 6.14 The policy also outlines the approach to supporting private sector tenants and non-secure tenants living in TA provided by the Council under its homelessness or homelessness prevention duties under Part VII Housing Act 1996 or Homelessness Reduction Act 2017, living in any affected block.
- 6.15 The policy references the use of Notices of Seeking Possession for the purpose of housing regeneration and development, if rehousing is not successful in all cases. Notices could be served as early as eighteen months prior to the Council requiring possession to commence redevelopment. Legal have advised that due to the significant backlog within the Courts system, and the potential complexity of some of these cases, early notice may be required.
- 6.16 The Rehousing Policy outlines the payments secure tenants may be entitled to, which include Home Loss Payments and Disturbance Payments.
- 6.17 A Home Loss Payment is a statutory payment made to compensate secure tenants for having to permanently move out of their home. This mandatory lump sum payment is fixed by Section 30 of the Land Compensation Act 1973.
- 6.18 Secure tenants become eligible for Home Loss payment following a formal decision to demolish, remove or dispose of their homes having been made

by Cabinet. Cabinet previously took the decision that eligibility for the compensation payments would be effective from the Cabinet in principle decision on 17th July 2025.

- 6.19 Disturbance Allowances payments cover 'reasonable expenses' involved in moving. They can either be statutory or discretionary, depending on how long the tenant has lived at the property. If the secure tenant has not lived in the property for twelve months, they do not qualify for a Home Loss Payment. In this instance they have statutory entitlement to a Disturbance Allowance. If the secure tenant has lived in the property for over twelve months and qualifies for a Home Loss Payment, Disturbance Allowances are discretionary.
- 6.20 Discretionary payments are payments made over and above the legal obligations and can be used, for example, where a tenant does not qualify to receive a Home Loss payment as they have been a resident for less than a year, or to assist moves for temporary accommodation (TA) residents and private sector residents in cases where financial assistance with removal costs may be required to achieve the move.
- 6.21 TA tenants and private sector tenants are not eligible for home loss or statutory disturbance payments but may also receive support including guidance on financial help such as deposits or rent in advance, signposting to LDSF or charitable grants, and discretionary assistance with removal costs where appropriate.
- 6.22 The policy does not apply to leaseholders, who will instead be able to access a dedicated resource to help them through this process. The offer to Leaseholders is set out in section 7 of this report.
- 6.23 Section 16 of the July Cabinet report details the implications to rehousing and regenerating the eight LPS blocks for households on the Council's Housing Register and how this will be managed.
- 6.24 Regeneration of the LPS buildings provides an opportunity to increase the supply of affordable family sized homes, addressing the highest area of demand on the housing register. The anticipated delivery of more than 600 new social homes between 2025/26 and 2027/28, including through the Council's buyback programme, will help offset the medium-term impact of decanting the LPS blocks. Phasing the rehousing of secure tenants over a five-year period will further minimise pressure on the wider housing register.
- 6.25 Summary of Responses to Questions about the LLP**
- 6.26 Consultation with regards to the LLP and the Rehousing Policy was not confined to residents within the eight LPS Blocks.
- 6.27 Most temporary accommodation (TA) respondents currently living in the LPS buildings (28 out of 34) understand why secure tenants need to be rehoused as part of the regeneration plan. 5 respondents did not understand, and 1 did not answer. Private Tenants only gave 2 responses, both of which

understood why the Council needs to adopt the regeneration approach and rehouse tenants.

- 6.28 We do note that 1 in 7 TA responses did not understand, indicating a communications gap that will be addressed through ongoing Resident Advisory Group (RAG) meetings throughout the process.
- 6.29 Housing Register respondents expressed concerns that introducing the LLP could increase their waiting times for a property. They highlighted worries about a reduced number of available properties to bid on and a perception that LPS tenants would receive priority ahead of them.
- 6.30 Suggestions for mitigating these concerns identified in the survey focused on ensuring clarity, transparency and fairness in the rehousing process. Respondents asked for clear timetables, regular visible reporting, and assurance that applicants with urgent needs will continue to be prioritised. Some also suggested organising LPS moves by property size and publishing clear eligibility and prioritisation criteria.
- 6.31 Of the 28 LPS resident responses received (from 26 temporary accommodation tenants, one private tenant, and one secure Council tenant), when asked about housing options that could help people on the housing register move more quickly, mutual exchange was the most supported route. However, it should be noted that under the housing legislation, this option is only available to social housing residents seeking to transfer/move. There was also some interest in supported access to the private rented sector, management transfers within provider stock, and using Homefinder UK for out-of-area moves.
- 6.32 Free-text comments from TA and private tenants highlighted a range of concerns, including frequent alarm activations, concerns arising from the demolition announcement, language barriers, and confusion about the distinction between 'temporary' and 'permanent' tenancy status. Respondents also referenced additional vulnerabilities such as autism, ADHD, and general discomfort with change. Further themes included financial barriers to moving, a desire to remain in Brighton & Hove or close to children's schools, and the need to retain access to employment without reliance on a car.
- 6.33 For those in TA within the blocks, the response shows the average waiting window for a secure tenancy is 6–12 months, but a sizeable number report that they had waited longer than two years already, which indicates the demand pressure in the queue.
- 6.34 In reviewing the consultation responses alongside the draft Local Lettings Plan (LLP) and Rehousing Policy, the Council has considered both general and specific feedback. Changes have been made to the LLP and associated policy documents where appropriate to respond to the issues raised and reduce foreseeable risks. Further detail on these changes is set out in the sections below.

6.35 Key Themes of Feedback and Outcomes

- 6.36 Feedback highlighted significant concern about the potential impact of the LLP on waiting times for households on the housing register, particularly those in temporary accommodation (TA) and some disabled households.
- 6.37 Most TA respondents rated the prospect of longer waiting times as a 9–10/10 impact, describing serious health impacts arising from unsuitable homes such as damp, mould, or lack of accessibility, and expressed fears of never being priorities.
- 6.38 Fairness and transparency were recurring themes. Respondents asked the Council to continue prioritising the most urgent needs across all groups, publish clear block by block timetables, and provide transparent reporting on lettings allocated to LPS tenants compared with the wider register.
- 6.39 The Council notes and acknowledges these concerns. The LLP is aligned with the Allocations Policy to ensure fairness and transparency in the allocation and prioritisation for rehousing secure tenants impacted by the LPS regeneration.
- 6.40 Some respondents from the housing register were concerned that LPS tenants would be prioritised above others. They asked for clearer criteria, better visibility of queue position, and recognition of non-mobility related disabilities.
- 6.41 Visibility will continue to be supported through the “What are my chances” tool available on the Homemove website, which shows bidding outcomes on advertised properties, the number of bids received and the banding of successful applicants so applicants can gauge where they are in the bidding process.
- 6.42 Of the 265 secure council tenants who responded to the question on how the Council should prioritise the order of housing offers, respondents most frequently supported giving priority to households with health or disability related needs (41.8%), followed by older residents (29.8%) and those with longer tenancies (25.6%), with smaller levels of support for other approaches.
- 6.43 The allocations policy and LLP already incorporate health, disability mobility, care and safeguarding considerations when assessing housing need and determining priority banding.
- 6.44 Priority moves through Band A will still be in place.
- 6.45 Prioritising LPS households in line with the regeneration sequence remains essential to meet demolition timescales and ensure affected tenants are suitably rehoused in secure, settled homes.
- 6.46 The option for making direct lets in accordance with the Allocations Policy will ensure essential moves are prioritised.

- 6.47 Where LPS tenants have the same priority date, the tenancy start date will determine their priority date above other LPS applicants.
- 6.48 Response suggestions to mitigating the impact for those on the housing register included providing options that people could use to find new homes. The Council will continue to promote other housing routes for applicants on the housing register including, shared ownership provided by other Registered Providers, and financial support to access private rented accommodation within or outside the city.
- 6.49 Residents also identified what matters to them in terms of design & local services, including safety, green space, a mix of property sizes, parking and mobility aid storage, transport links, and proximity to GPs/schools.
- 6.50 These factors will be considered in both rehousing decisions and the wider regeneration programme.
- 6.51 Respondents recognised existing strengths in the draft policies, including the 'Right to Return' for decanted secure tenants, the setting of Band B (Council Management Transfer) for the rehousing process, and the requirement for two suitable offers to be made before possession is enforced.
- 6.52 The Rehousing Policy provides Single Point of Contact (SPOC), multi-agency support, and defines Home Loss & Disturbance payments with practical items funded (moving, carpets, curtains, appliances, post redirection).
- 6.53 Support needs identified through the 264 survey responses included the need for a dedicated rehousing officer, help with packing, appliances, completing forms, understanding legal rights, bidding support, attendance at viewings, help setting up utilities, and broader support such as benefits advice or advocacy. Taken together, these point to the value of a holistic approach.
- 6.54 The Rehousing Policy provides a tailored approach with a named SPOC and multi-agency working to ensure the support offer is responsive to the range of needs identified by residents.
- 6.55 **Key Issues and Specific Outcomes for the LLP and Rehousing Policy**
- 6.56 There were four key questions in the LLP and Rehousing Survey:
- Number of offers of suitable accommodation
 - Length of time for bidding
 - Prioritisation of LPS household
 - Support offer
- 6.57 **Numbers of offers of suitable accommodation:**

- 6.58 LPS secure council tenants were asked how many offers of suitable housing they should receive. Of the 264 responses, three offers received the highest level of support (20.5%), followed by views that the number should depend on residents' personal circumstances (14.2%), with two offers supported by 8.5%.
- 6.59 Based on best practice and available stock, the LLP and Rehousing Policy recommend making two offers of suitable accommodation per household. It is anticipated that the tailored rehousing support and advice approach will enable households to find suitable new homes either through choice based lettings or through a direct offer of accommodation in exceptional cases; or support tenants to take up the other rehousing options. No notice of possession will be enforced until two suitable offers have been made under the LLP and the review period has expired, as set out in the LLP.

6.60 Refusal and Review Process

- 6.61 LPS Secure Council tenants were asked, 'Should you be able to refuse an offer?', with 262 responses received. The majority of those who answered expressed a preference for some degree of choice, favouring the ability to refuse offers in certain circumstances. Only a very small proportion supported requiring tenants to accept the first suitable offer. Overall, the feedback indicates a strong desire for autonomy and flexibility in the decision-making process.
- 6.62 The LLP is aligned to the current review process for refusals of accommodation within the Allocations Policy, including a cap of two direct offers and the option to request a review.

6.63 Length of Time for Bidding

- 6.64 LPS Secure Council tenants were asked, 'How long should you be able to bid for housing before we give you a direct offer?', with 261 responses received. The largest proportion (26%) preferred having personalised bidding periods, while smaller groups favoured set periods ranging from one to six months. Overall, the feedback suggests a preference for flexibility rather than a single fixed bidding timeframe.
- 6.65 The LLP will adopt a flexible approach to bidding periods rather than a set number of weeks or months. Timescales will reflect the deadlines for emptying each block, based on the Council's regeneration timetable, and depend on the availability of suitable accommodation. Rehousing officers will work closely with households to enable timely moves, with some flexibility. However, in line with the Allocations Policy and LLP, failure to achieve suitable rehousing in an agreed timescale could lead to bidding being restricted and direct offers made when needed to meet demolition deadlines.

6.66 Prioritising LPS Households for Moves

- 6.67 LPS secure council tenants were asked how housing offers should be prioritised under the draft Local Lettings Plan, with 265 responses received. The strongest support was for prioritising households with health or disability related needs (24.2%), followed by prioritising older residents (17.2%) and then those with longer tenancies (14.8%). Some respondents supported aligning priorities with the regeneration programme sequence. Lower levels of support were recorded for prioritising families with children, applying an equal priority date, or prioritising based on overcrowding. Overall, responses indicate a preference for prioritising based on vulnerability and need including disability as well as mobility issues.
- 6.68 The Local Lettings Plan will create a new priority category for LPS secure tenants, with adverts stating, “priority to LPS”. This LPS Priority will be applied to secure tenants on a sequential block-by-block basis in line with the rehousing programme timetable i.e. St James’s House first, then Nettleton and Dudeney, and then the 5 Bird blocks in order of demolition.
- 6.69 We will maintain the flexibility to prioritise households across all 8 blocks in those exceptional circumstances where urgent needs arise, including medical, care, disability/mobility, fire safety or safeguarding reasons through the direct let process.
- 6.70 Where LPS households have the same priority date, the tenancy start date will be used to identify priority over other LPS applicants.
- 6.71 All LPS applicants on the housing register will continue to be able to bid for other eligible properties as normal.
- 6.72 Other than in exceptional circumstances, this category will not apply to mobility rated properties to ensure households needing a mobility rated property on the wider housing register are not disadvantaged.
- 6.73 Moves out of an LPS block via Mutual Exchange would not entitle the outgoing resident to the Home Loss Compensation, as the tenancy does not end but is assigned to another incoming tenant. It is the final secure tenant who would be eligible for the Home Loss compensation or Statutory Disturbance payment depending on length of tenancy within the LPS block.
- 6.74 **Support offer**
- 6.75 The Rehousing Policy support offer has been strengthened to reflect feedback on the types of support residents need. A named SPOC and a tailored approach will ensure secure, temporary accommodation, and privately renting tenants receive appropriate support, including multiagency involvement where required.
- 6.76 We’ve noted concerns and made the housing assessment and support offer clearer in both the RP and LLP. Other than exceptional circumstances, we will not prioritise TA and private tenants over our secure tenants. The onward housing options for TA and private renters will vary depending on whether they are owed a homelessness duty, and they will generally be the

latter cohort to be rehoused from the blocks. Depending on their circumstances, many TA tenants will already have an earlier effective date and be bidding on Homemove.

6.77 Barriers to Understanding & Communication Outcome

6.78 We have strengthened communication in the LLP and Rehousing Policy to address concerns about language barriers. Translated materials, interpreting services, and plain English explanations of tenancy types will continue to be provided. English explanations of tenancy types will continue to be provided.

6.79 We recognise design and location needs in decant matching. People highlighted safety, green space, storage for mobility aids/bikes, parking, schools/GPs. The individualised support offer will take these needs/preferences into consideration when looking at rehousing offers.

6.80 Under-Occupying

6.81 There were several comments that suggested tackling under-occupation city wide. The Council will continue to proactively offer the Transfer Incentive Scheme to under occupying tenants (council and, via RPs where applicable) to free up larger homes. This is a key priority within the directorate plan and performance will continue to be reported through the current mechanisms. The wider issue of empty or under-occupied properties is not a satisfactory pathway to move people who hold secure tenancies. It would only be relevant, if a secure tenant wanted to give up their secure tenancy. It might be relevant, for private tenants or TA tenants by way of discharge of duty to the private sector.

6.82 For impacted LPS blocks, the offer of suitable accommodation must be broadly like-for-like in accordance with legislation. However, under occupying households will still be offered the option to downsize and will be eligible for TIS incentive payments in addition to Home Loss and Disturbance payments, alongside practical support to facilitate their move. Stock composition within the eight LPS blocks—175 one-bedroom homes, 382 two-bedroom homes and only one three-bedroom property—means that under occupation in these blocks is not expected to materially affect the availability of larger family sized homes

6.83 Right to Return Options for LPS Secure Tenants

6.84 The LLP and Rehousing Policy respond to concerns about losing community connections by offering LPS secure tenants the Right to Return to the new developments (where possible), even though this is not a statutory requirement.

6.85 The Right to Return policy requires six months of compliant arrears payments before a newbuild offer is made, maintains financial responsibility without excluding tenants who are experiencing difficulties. As part of the support offer, tenants will continue to receive help to manage and reduce any arrears, minimising the risk of tenancy breakdown or loss.

7 Leaseholder Offer

- 7.1 Cabinet approved an enhanced offer for the buyback of right to buy leasehold properties within LPS properties in March 2025 which was reaffirmed at the 17 July 2025 Cabinet meeting. This offer follows government guidance, and it has been formed through looking at best practice examples and is based on local average costs. The Council is also committed to reviewing the costs each year to ensure they remain accurate.
- 7.2 Progress to date has seen 12 completed sales with a further 12 homes progressing through conveyancing at the time of this report. We are continuing to engage with the remaining 20 leaseholders (not including Seaside Homes).
- 7.3 The consultation programme sought feedback from all current residents and non-resident leaseholders on the current buyback offer and whether any additional options should be included in the offer. 7 responses were received to the YourVoice online survey. In addition, except for two non-resident leaseholders, officers have also spoken to all leaseholders to understand their circumstances and preferences.
- 7.4 Most leaseholders said they would like to purchase a home on the open market and utilise the buyback offer, although some wish to remain in situ until the Council reaches a point of requiring their building to be vacated.
- 7.5 There was no expressed interest in shared ownership or private rent as potential options. These, however, will remain as potential options for leaseholders which the Council is open to exploring. There were concerns over shared equity as an option due to not owning the property outright.
- 7.6 For a small number of resident leaseholders whose financial circumstances may make purchasing a new home difficult, there was interest in learning more about how a lease swap could benefit them. This would enable a leaseholder, to 'transfer' their equity into a vacant council social rented home of an appropriate size and value that is not due for demolition.
- 7.7 The options of market purchase in the area (or elsewhere) and shared ownership will remain available, but the aim is to go further, to maximise choice and secure a better match with individual circumstances. It is therefore proposed to include the lease swap as a further option for resident leaseholders experiencing financial hardship.
- 7.8 Subject to the approval of section 2.2, the council will actively pursue the buyback of properties within the eight LPS buildings and will report back to Cabinet should a Compulsory Purchase Order (CPO) be required.

8 Pilot Home Ownership Pact

- 8.1 The Council have explored an option to introduce a pilot Home Ownership Pact for secure tenants living in the impacted LPS blocks who are eligible to

exercise their Right to Buy, enabling secure tenants to own homes in the private sector without depending on the Right to Buy.

8.2 Grants will support ownership paths such as outright ownership and shared ownership. It is proposed that the grant rates will be £40,000 for 1 bed, £45,000 for 2 bed and £50,000 for 3 bed homes. These exceed the current maximum RTB discount on offer and would support a deposit for a purchase either within or outside of the city.

8.3 Criteria for the scheme will include:

- A secure tenancy must have been held for at least 3 years in line with Right to Buy rules.
- A one-off lump sum payment for help to buy a home on the open market (including shared ownership options), contributing towards helping to pay for purchasing an interest in a property owned by a third party who might have an existing mortgage for a home they want to move into. The monies could be used to make adaptations (for example an extension) for the secure tenant to move into a privately owned property.
- It is envisaged that the payment will not be subject to a property charge and will not be subject to claw back. This will be reviewed with legal input.
- It applies to purchases within England, Scotland, Wales and Northern Ireland (excluding the Channel Islands and Isle of Man). It cannot apply to a mobile home or houseboat, a business or part business property (other than exceptional circumstances), or the existing council property under the RTB scheme.
- Vacant possession must be given of the existing property and the property returned in good condition.
- The tenant must not have arrears on rent, Council Tax or other accounts with us, be bankrupt, or have an active Right to Buy application while applying for this grant.

8.4 Resident Advisory Groups were consulted on this option at their meetings on 2nd, 3rd and 5th February 2026. All groups noted the proposal as another potential option for tenants should they be able to consider home ownership.

8.5 If approved, the pilot scheme will last for a year and then reviewed for its effectiveness. A budget of £0.4m is proposed for the scheme in 2026/27 which will allow up to 10 grants in the first year.

8.6 We have a legal duty to protect public funds and the council will ensure several measures are in place to prevent fraud regarding home ownership grants. This is primarily focused on strict eligibility checks (including identification and residency), restriction on usage and direct payments and referrals to fraud teams. This ensures that we are working in line with relevant housing, property and money laundering legislation.

9 Financial Implications

- 9.1 The £0.400m required to operate the pilot Home Ownership Pact scheme for eligible tenants living in the eight LPS blocks, has been identified within the agreed HRA revenue budget for 2026/27. This will be reviewed on an annual basis, based on the level of interest and uptake. This annual funding would allow the potential for up to 10 grants to be agreed in 2026/27.
- 9.2 The other recommendations in this report, including the Rehousing Policy, Local Lettings Plan and proposed lease swaps can be accommodated within the existing approved LPS capital budget allocation agreed in the July Cabinet paper which totaled £7.489m. This budget included covering initial development work, resident support and a future rehousing programme.
- 9.3 The overall capital budget request will be apportioned into any future development projects and regeneration options for scheme level proposals. New projects included in the HRA capital programme must demonstrate a breakeven position as a minimum to mitigate any financial risk to the HRA that could jeopardise investment in existing stock.
- 9.4 As outlined in the July Cabinet report, these proposals will result in a reduction in opportunity rental income across the HRA. For context, the forecast overall annual rental income for 2025/26 across the eight LPS blocks is £2.9m, assuming a 2% void rate.

Name of finance officer consulted: Sophie Warburton Date consulted: 10/02/2026

10 Legal Implications

- 10.1 As identified in the Cabinet report of July 2025, before any further decision can be made as to the demolition and regeneration of the sites concerned, the Council has a statutory obligation under Section 105 of the Housing Act 1985 to consult with secure tenants on “matters of housing management” and to engage and consult with wider stakeholders, including leaseholders who own properties on the sites referred to both in relation to the proposals for demolition and redevelopment and in relation to the offer of financial compensation and general assistance. This report details that the required consultation for each of the three sites has now been undertaken, and subject to the consideration of the results of these consultations, Cabinet has the necessary powers to approve the recommendations to take forward the option re demolition and redevelopment of each of the sites as set out in this report and the report to Cabinet of July 2025.
- 10.2 It should be noted that the duties to consult are not concluded, and there will be an ongoing requirement to consult in relation outlined plans and/or principles of development. This will not be confined to the previous consultee groups and will extend to wider community stakeholders such as affected businesses. There will need to be a consultation in relation to any planning application considered or made and careful thought will need to be given to timings around consultation and any planning applications.

- 10.3 Cabinet is asked to approve the Local Lettings Plan and the Rehousing Offer following consideration of the response to the consultation as set out in this report. Under section 166A of the Housing Act 1996, the Council is prohibited from allocating accommodation except in accordance with their housing allocation scheme. The draft Local Lettings Plan and Rehousing Policy therefore sets out the housing allocation rules for secure tenants affected by the housing regeneration programmes, and will, if approved, form part of the Council's overall allocation scheme.
- 10.4 The Rehousing Policy applies to residents (save for leaseholders) affected by the regeneration scheme and sets out the principles and procedures which will guide the decant and possession process, and which reflects the relevant housing legislation.
- 10.5 The impact of the LLP is to provide a transparent and flexible pathway by creating a subset of the allocations plan specifically for secure tenants. The Rehousing Policy provides a transparent policy for other groups as set out to best address the needs of non-secure tenants where the Council has a duty.
- 10.6 The consultation set questions in relation to the impact on waiting times for those on the housing register waiting list. The responses indicated concern about additional delays, a factor which has been considered in the recommendation to approve the LLP and Rehousing Policy. Delays are likely to place additional pressure on the Council when seeking to rehouse those in temporary accommodation and those applying for transfer.
- 10.7 While it is reasonable to assume that most occupiers of the impacted LPS blocks will be willing to move with the support detailed above, there may be individuals who will not wish to move. The Council has legal powers to obtain vacant possession against an occupants' wishes. These are powers of last resort. Early identification and particular focus will be required if it is considered likely that a household will be resistant to vacating. There will need to be ample time built into the programmes for each project considering the pressures on the Courts. Particular care will need to be taken with vulnerable individuals
- 10.8 The Council is authorised to implement a cash incentive scheme by virtue of Section 129 of the Housing Act 1988 as amended by The Regulatory Reform (Schemes under Section 129 of the Housing Act 1998) (England) Order 2003. Therefore, the council has the power to implement the scheme and impose such conditions as it considers appropriate. This scheme will provide another rehousing option for secure tenants and enable higher earning tenants to move into home ownership.
- 10.9 This report identifies a particular option to be explored regarding the introduction of a lease swap programme. Any such programme will need to be designed to comply with the requirements of the Housing Act 1985, including the general consents issued by the Secretary of State for the disposal of housing.

- 10.10 This report and the report of July 2025 identify the need for vacant possession of the impacted LPS blocks to enable the demolition and redevelopment of the sites. The Council has previously introduced a Leaseholder Offer which is modelled on the Compulsory Purchase Compensation Code. Consideration may need to be given to the future use of Compulsory Purchase Order (CPO) powers to enable land assembly. There are numerous risks involved with the making of a CPO. These include costs, delivery and project time. A route to minimising such risks involves a robust business case for the redevelopment, project plan and acquisition by agreement in the first instance. These risks should be assessed and minimised prior to making a CPO. These are powers of last resort and would be the subject of further reports to cabinet.
- 10.11 With regards to the initial demolition notices referenced in a preceding section of this report, at this point they will be interim notices and further cabinet approvals will be required to serve final notices. There are specific criteria regarding duration and promptness of the carrying out of the works following the service of the notices. Their maximum duration is seven years, but the expectation is that works should be commenced promptly.

Name of lawyer(s) consulted: Siobhan Fry and Simon Court. Date consulted (13/02/26):

11 Risk Implications

- 11.1 The programme continues to operate within a complex risk environment, reflecting the scale of activity, dependencies across workstreams, and the need for coordinated delivery with internal and external partners. These risks are being actively monitored and mitigated through established governance arrangements to ensure timely intervention where required. Mitigation plans are in place and reviewed regularly to minimise impact wherever possible. Some material risks include:
- Limited availability of suitable properties to support early decant moves
 - Increased waiting times for tenants requiring temporary accommodation
 - Uncertainty regarding the financial viability of the regeneration proposals
 - Delays and costs caused by tenants choosing to move at the final stages, and the potential need for court action or compulsory purchase orders where tenants decline to move
 - Impact on health and wellbeing of residents, risk to leaseholders' mental health and their ability to engage in the process
 - Implementation of renters' rights bill could add delays to getting vacant possessions for purchases.
 - Psychological and physical impacts caused by the stress of moving when combined with issues such as addiction
 - Risk of financial and domestic abuse following pay out of large amounts of money to support moving. Financial impact on benefits
- 11.2 A programme level risk log is maintained and reviewed fortnightly to track emerging risks and escalate matters as appropriate. Each workstream also maintains its own risk register, recording specific risk implications alongside

associated mitigation actions. Where a workstream level risk requires immediate escalation following mitigation efforts, it is submitted to the LPS Board, added to the programme level risk log, and managed through the agreed governance processes.

- 11.3 Should Cabinet approve the recommendations set out in this report, all risk registers will be updated to reflect the next phase of programme activity.

12 Equalities, Inclusion & Engagement (EIE)

- 12.1 Equality Impact Assessments (EIAs) were completed in March 2025 for St James's House, Nettleton & Dudeney and the five North Whitehawk bird blocks. These assessments have informed the consultation methodology and continue to guide the support provided to residents as they explore future rehousing options.
- 12.2 An Equality Impact Assessment has been completed for this LPS survey (March 2026). This EIA considers and makes the required adjustments for the affected population of the consultation, including secure tenants, leaseholders, private tenants, temporary accommodation residents, and Seaside Homes residents.
- 12.3 Given the potential impact of the draft Local Lettings Plan on many people on the housing register, the consultation exercise included people on the wider housing register.
- 12.4 Comparison with 2021 Census data shows that the age profile of council housing occupants is broadly similar to that of Brighton & Hove residents across all housing tenures. For the purpose of this report, "occupants" includes all household members, not only tenants (e.g., partners and children). Council tenants themselves tend to be older than other household members and older than the citywide population overall.
- 12.5 Housing management data highlights variation in age profiles across the LPS blocks:
- **St James's House:** Higher proportions of occupants aged 40–59 and 60+, and fewer aged 18–39. The proportion under 18 (15%) is in line with the citywide profile.
 - **Nettleton & Dudeney:** Residents tend to be older; 50% are aged 65+ (including 7% over 80), with no children under 18.
 - **Whitehawk Bird Blocks:** Higher proportions of residents aged under 18 and over 60, with fewer in the intermediate age groups.
- 12.6 Older residents may experience greater difficulty with relocation, particularly where they rely on established support networks. Moving home can be disruptive for all households and may be especially challenging for children and elderly tenants. Where children are involved, we aim to ensure moves do not disrupt educational continuity. Most tenants are of working age and may also experience disruption to travel-to-work routines.

- 12.7 Approximately 43% of occupants are identified as having possible additional support needs, including mental health conditions, physical health issues, learning difficulties, children with SEND, and sensory or literacy needs. For these residents, the process of moving home can create additional stress and require tailored support.
- 12.8 To ensure an inclusive and accessible moving process, services are adapted for disabled residents, including those who are housebound, D/deaf, blind, neurodivergent, or who have non-visible disabilities. Support also reflects the intersectional nature of residents' needs with partnerships in place with community organisations to help maintain social networks, ensure access to services, and minimise disruption.
- 12.9 The demographic composition of people living in temporary accommodation changes more rapidly than for council housing, due to shorter stays. However, temporary accommodation applicants (main applicants) are more likely to be Black and Racially Minoritised—around one third of those for whom ethnicity data is held—compared with the citywide population, with particularly higher representation of Black or Black British residents.
- 12.10 Gender profiles also vary across the LPS blocks. At Whitehawk, 55% of occupants are recorded as female, slightly higher than the wider council housing profile. No occupants are recorded as non-binary or intersex. Nettleton & Dudeney have a higher proportion of male occupants, while St James's House is more evenly balanced.
- 12.11 Feedback from Housing Register tenants informed the EIA for this consultation. EIAs for the consultation, the Local Lettings Plan (LLP), and the associated Rehousing Policy assess the potential impact of nonresponses from specific groups and ensures all relevant groups are represented. Engagement with affected residents will continue through the Resident Advisory Groups.
- 12.12 The eight LPS blocks have a diverse demographic profile, including variations in household type, spoken language, digital access, health and mobility needs, and preferred methods of communication. The engagement programme was therefore designed to ensure no household was excluded, offering participation routes that were safe, accessible, and culturally appropriate.
- 12.13 Key EIA measures included:
- Multi-format communication: digital (emails, online surveys), non-digital (letters, leaflets), and in person engagement (door knocking, Resident Days, drop-ins).
 - Addressing digital exclusion: key information was always available via face-to-face, printed, and onsite channels, ensuring residents without digital access could fully engage.
 - Language support: interpreter supported appointments and bilingual engagement officers.

- Accessibility and health considerations: home visits for residents with mobility issues; appointment-based sessions for those experiencing anxiety, mental health concerns, or complex needs.
- Choice and flexibility: weekly engagement across three sites, daytime and evening; multiple routes for submitting questions (email, post boxes, drop-ins, newsletters, door knocking).

12.14 These measures ensured that residents with differing capacities, communication preferences, and life circumstances were able to engage meaningfully, including those who are seldom heard.

Appendices

- 1) LPS Survey Report
- 2) Consultation Report
- 3) Rehousing Policy Regeneration Schemes
- 4) Draft Local Lettings Plan
- 5) LPS Rehousing Policy Comparison Table

Background Documents

- 1) July 2025 Cabinet Paper
- 2) Link to People Overview & Scrutiny January 26
- 3) Equality Impact Assessment: HASC-Mar-26-EIA on s105, LLP, Rehousing Policy, (Housing Register) consultation.