Brighton & Hove City Council

Cabinet Agenda Item 94

Subject: **Large Panel System Housing Masterplan and Land Assembly**

Date of meeting: **Thursday, 12 November 2026**

Report of: **Cabinet Member for Housing**

Lead Officer: **Name: Corporate Director Homes & Adult Social Care**

Contact Officer: **Name: Chantelle Barker**

Email: chantelle.barker@brighton-hove.gov.uk

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

Key Decision: Yes

Reason(s) Key: Expenditure which is, or the making of savings which are, significant having regard to the expenditure of the City Council's budget, namely above £1,000,000 and 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 on 19 March 2026 to approve in principle the option to demolish and redevelop the eight Large Panel System (LPS) blocks at St James's House, Nettleton Court, Dudeney Lodge, Falcon Court, Heron Court, Kestrel Court, Kingfisher Court, and Swallow Court.

1.2 Cabinet at its meeting on 19th March 2026 authorised the service of the Initial Demolition Notices (IDN) for all eight blocks in accordance with schedule 5A of the Housing Act 1985 delegating authority to the Corporate Director Homes and Adult Social Care to determine the timing and service of the notices. This report provides an update on the service of the IDN.

1.3 March 2026 Cabinet agreed for the Corporate Director Homes and Adult Social Care to develop an offer for the provision of lease/property swaps for resident leaseholders of the eight blocks who are experiencing financial hardship and unable to purchase an alternative property on the open market and seek approval for a 'lease swap' option at a future Cabinet. This report provides an update that the 'lease swap' option is now recommended to be a bespoke 'leaseholder assistance' offer for a limited number of resident leaseholders experiencing exceptional hardship circumstances and/or are vulnerable.

1.4 This report updates Cabinet on the progress of the LPS Redevelopment Programme and seeks approvals required to progress resident rehousing, reduce vacant possession risk, undertake land assembly, and related programme activity to maximise the redevelopment opportunities.

1.5 The recommendations are intended to provide clarity for the building owners and occupants, reduce vacant possession and delivery risks, and support the progression of the redevelopment proposals.

1.6 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

Cabinet is asked to:

2.1 Note the progress of the LPS Redevelopment Programme, including the service of Initial Demolition Notices on all secure council tenants in the eight LPS blocks; St James's House, Nettleton Court, Dudeney Lodge, Falcon Court, Heron Court, Kestrel Court, Kingfisher Court, and Swallow Court, pursuant to paragraph 4(2) of Schedule 5A of the Housing Act 1985 (as amended).

2.2 Note the suspension of letting secure tenancies at the eight LPS blocks; St James's House, Nettleton Court, Dudeney Lodge, Falcon Court, Heron Court, Kestrel Court, Kingfisher Court, and Swallow Court.

2.3 Note the temporary use of void properties in the LPS buildings as Temporary Accommodation (TA) and agree to delegate authority to the Corporate Director Homes & Adult Social Care in consultation with the Cabinet Member for Housing to determine when new TA lettings should cease, and to determine the timing of service of the Notice to Quit (NTQ) on TA households, or any other process required to enable vacant possession of the properties where needed.

2.4 Agree to delegate authority to the Corporate Director Homes and Adult in consultation with the Cabinet Member for Housing Social Care to determine when to serve the Notice of Seeking Possession (NOSP) on the secure council tenants.

2.5 Approve the suggested amendments to the sections of the Local Lettings Plan for Large Panel System (LPS) blocks and the Rehousing Policy – Regeneration Schemes as set out at paragraphs 4.2 and 4.3 of this report and agree to delegate authority to the Corporate Director Homes and Adult Social Care in consultation with the Cabinet Member for Housing to create a policy for Secure Council Tenants with an Interest in Returning and return to

a future Cabinet to approve the policy. Also, to include any properties not previously covered by the LPS Local Lettings Plan in the Plan following the extended redevelopment footprint and update any other aspects of the Rehousing Policy – Regeneration Schemes or LPS Local Lettings Plan as may be required.

2.6 Agree to delegate authority to the Corporate Director Homes and Adult Social Care in consultation with the Cabinet Member for Housing of a 'leaseholder assistance' bespoke offer and a budget of £0.1m where required for specific exceptional cases of resident leaseholder financial hardship and/or vulnerability requiring support.

2.7 Note that the intention is to permanently close the Chapel Street public pay-and-display car park beneath St. James' House, subject to the outcome of the relevant Traffic Regulation Order process.

2.8 Agree to delegate authority to the Corporate Director Homes & Adult Social Care in consultation with the Cabinet Member for Housing to consider Section 105 of Housing Act 1985 consultation responses from consultees of the surrounding land and council owned property potentially to be included in the extended LPS development proposal areas, including for demolition/construction site set up, opportunities for phased redevelopment and landscaping.

2.9 Note the opportunity to extend the redevelopment area for the Dudeney and Nettleton site (extending beyond just the LPS blocks and land) and agree to delegate authority to the Corporate Director Homes & Adult Social Care in consultation with the Cabinet Member for Housing to consider land assembly requirements and approve the acquisition of property where required in accordance with Part 1 and Part 2 reports.

2.10 Note the Section 105 of the Housing Act 1985 consultation response from the secure tenant of the proposed additional land assembly (Hollingdean) set out in the part 2 report and approve that the secure council tenant is to be given the provisions of the Rehousing Policy – Regeneration Schemes and LPS Local Lettings Plan

2.11 Approve the service of an Initial Demolition Notice to any council owned property with secure council tenants in the extended redevelopment area referred to at recommendation 2.9.

2.12 Approve an additional capital budget of £1.46m to support staff resourcing, land assembly costs, home loss and disturbance costs for secure council tenants of properties in the extended redevelopment areas, 'leaseholder assistance' contingency, legal costs and the appointment of an Independent Tenant and Leaseholder Adviser for the residents of the three LPS redevelopment areas.

2.13 Approve the progression of an optimized approach to the design of the redevelopment proposals and masterplans.

3. Context and background information

3.1 The Estate Renewal LPS team have made progress on the re-housing of secure tenants, leaseholder acquisitions, demolition logistics planning, and the assessment of delivery routes, across the three redevelopment areas.

3.2 In 19 March 2026 Cabinet approved the service of Initial Demolition Notices (IDN) to secure tenants of the eight blocks, delegating the timing of service to the Corporate Director of Homes and Adult Social Care. Following a pre-engagement period since March 2026, with door knocking, one-to-one visits, Community Days, drop-in's and newsletters, the IDNs were served on all secure council tenants on 8 October 2026. Leaseholders were provided with a copy for information. The wider community of residents, schools and businesses within a 300m radius of the redevelopment sites were sent a newsletter updating on the meaning of the IDN, next steps, and to advise that the council will engage with them on the development proposals as they emerge. Stakeholders including Ward Councillors, local support services, the Building Safety Regulator, the Regulator of Social Housing, and Homes England were informed.

3.3 Serving of the IDNs is a formal legal step confirming the council's intention to demolish the existing LPS blocks to make way for redevelopment. The council has explained that demolition is not imminent, but all secure council tenants are encouraged to register on Homemove. Support is being provided to residents. The IDNs are valid for up to seven years. Within that time the council will need to have advanced redevelopment plans to planning permission and got a date for the demolition to serve the Final Demolition Notice. The budget request for additional staff resource is required to support this process, including provision of suitable support for residents.

3.4 Current engagement activity is concentrated on the secure council tenants who are not currently registered on Homemove to identify what assistance and support can be provided to them.

3.5 The service of an IDN acts to suspend any live Right to Buy applications, and prevents new applications being processed and suspends mutual exchanges. At the point of service of the IDN there was one live Right to Buy application. Officers are engaged with this secure council tenant to support them and review their housing options. The tenant has been made aware that they have three months to submit evidence of their reasonable expenses to be compensated by the council.

3.6 Following the suspension of Right to Buy, the Home Ownership Pact Pilot approved at 19th March 2026 Cabinet, has been approved to proceed under delegated authority by the Corporate Director Homes and Adult Social Care and Officers are in contact with the secure council tenants who have expressed an interest.

3.7 Cabinet is asked to note the challenging external industry conditions and as such note the requirement for an optimised approach to the development proposals and masterplanning work, such as enabling the most optimum viable housing mix and bedroom mix and considering a programme

approach to the redevelopment areas and subsidy requirement to enable the delivery of social rented homes. A further Cabinet report in early 2027 will consider redevelopment delivery routes and an updated financial viability position, with sensitivities.

4. Returning to the Redevelopment Homes Options for Secure Tenants

4.1 There is a section on the 'Right to Return' in both the 'Local Lettings Plan for Large Panel System (LPS) blocks' and the 'Rehousing Policy – Regeneration Schemes, both agreed at Cabinet on 19 March 2026. They note the council's commitment to helping those who wish to remain in the area or return to the renewal estate where possible.

4.2 There is no legal requirement or statutory duty for the council to give secure council tenants the option to return to the redeveloped site, and there are additional factors the council needs to consider. It is therefore proposed that the two documents referred to in 4.1 are updated with delegated approval from the Corporate Director Homes and Adult Social Care in consultation with the Cabinet Member of Housing, including a change from the term 'Right to Return' to 'Interest in Returning', as well as including conditions as set out in 4.3 below.

4.3 Expressing a desire to return does not confer a legal duty to the council or give the tenant any rights. The council will endeavor to support the tenant to return to the development where possible, but it is proposed that it will be subject to an expanded list of criteria, exceptions and conditions as follows (noting that in exceptional circumstances discretion may be used):

- If the secure council tenant has been permanently rehoused and chooses to return to the redeveloped site, they will not receive additional financial assistance or compensation. Secure council tenants are eligible for Statutory Homeloss and Disturbance Payments on their first move to new permanent housing, but are not eligible for any financial compensation in the form of Homeloss and Disturbance Payment compensation should they voluntarily choose to move a second time to return to the new development.

- In the event of a phased development there will need to be sufficient properties built to create enough movement to allow future phases to be rehoused on the main redevelopment site. As such, in a phased regeneration development programme, priority for the new build homes built on the site will be given to the secure council tenants on the redevelopment site that have not yet been rehoused, before any permanently re-housed secure council tenants can bid on a new build home on the redevelopment site. The LPS priority for bidding will only be applicable for secure council tenants that have not had the first rehousing permanent move.

- The secure council tenant must have been residing in the property in which they currently hold a tenancy as their only and principal home at the time of the first move and at the time of returning to the redevelopment site be a secure tenant.

- The property the secure tenant moved into at the time of their permanent move must not have been extensively adapted to meet the specific needs of the tenant. The suitability, accessibility and implications of leaving an adapted property will be individually assessed.

- the secure council tenant either has no rent arrears at the time they choose to return to the redevelopment site or has made satisfactory arrangements to pay off the arrears and has been adhering to the arrangement for the six months prior to the return to the redevelopment site, taking account of the individual circumstances of the case.

- the secure council tenant must not have any substantiated tenancy breaches relating to ASB or cases that were live with tenancy enforcement actions in the six months prior to bidding to the return to the redevelopment site.

- the 'like for like' number of bedrooms at the time of the first permanent move will remain the 'like for like' offer if the secure tenant chooses to return. It is expected that where a household currently has an assessed greater bedroom need and is eligible to bid for a larger property this would be out of scope of an interest to return. In the event that at the time of completion of the redevelopment works, a household at that point has an assessed need for a larger sized property, would be within scope, but will depend on the availability of suitable properties.

- If a secure council tenant is offered a home in the new build properties, the rent might be higher than the property they are moving from, so they will need to demonstrate that the new property is affordable and therefore suitable through council assessments.

- all matters related to tenancy disputes or discrepancies should be resolved prior to seeking to bid to be housed on the new build property in the redeveloped area, for instance Property Adjustment Orders following relationship breakdown must be resolved before a return to an LPS property can be facilitated.

- Residents occupying Temporary Accommodation will not be offered the ability to return.

5. Leaseholders Assistance option

5.1 The March 2026 Cabinet requested that a 'lease swap' offer is developed and brought back to Cabinet for approval. A 'lease swap' option has been investigated and it has identified a wider support offer to provide financial hardship and/or vulnerability needs to be considered. As such, a 'leaseholder assistance' option is required, rather than a 'lease swap' option.

5.2 Lease swap offers have operated in Hackney, Havering, Brent and Camden, and Westminster as part of estate regeneration schemes, although this primarily relates to facilitating phased redevelopment programmes. Best practice including advice from these local authorities has been sought and considered when exploring the options for resident leaseholders.

5.3 ‘Leaseholder assistance’ options for resident leaseholders can consider those whose financial circumstances mean they are unable to purchase on the open market and are in financial hardship, and/or have a vulnerability that requires additional assistance and support, and a bespoke offer.

5.4 Financial hardship in these circumstances is defined by an inability due to financial circumstances to purchase an alternative property. An assessment by an independent financial advisor will be completed and the council will be advised on the outcome of the assessment. A case-by-case review will be conducted based on individual circumstances.

5.5 There are currently eight resident leaseholders who have not progressed to conveyancing. When discussing leaseholder options in the consultation that was considered by March 2026 Cabinet, two resident leaseholders expressed an interest in a ‘lease swap’. However, no independent financial assessment has been completed to date to confirm financial hardship for any of the resident leaseholders. The ‘leaseholder assistance’ option requires a case-by-case review of financial hardship eligibility and/or vulnerability to develop a bespoke individual arrangement. It is likely that a limited number of resident leaseholders would meet the requirements for a lease swap offer, and as such Cabinet are asked to delegate authority to the Corporate Director Homes and Adult Social Care in consultation with the Cabinet Member for Housing, to approve individual ‘leaseholder assistance’ offer arrangements to resident leaseholders meeting the hardship and/or vulnerability criteria and require additional support, to enable the vacant possession of the LPS property.

5.6 The existing budget agreed at July 2025 Cabinet provides the budget for the leaseholder buyback proposal, however the additional ‘leaseholder assistance’ budget of £0.1m is sought to facilitate an alternative arrangement as an exceptional requirement due to leaseholder financial hardship and/or vulnerability. The resident leaseholder would need to have an independent financial assessment that would confirm their financial hardship as part of the ‘leaseholder assistance’ requirement.

6. Tenants and Seeking Possession Arrangements

6.1 The creation of new secure tenancies prior to completion of the redevelopment in any of the LPS blocks, St James’s House, Nettleton Court, Dudeney Lodge, Falcon Court, Heron Court, Kestrel Court, Kingfisher Court, and Swallow Court, is not authorised, nor at any property within the redevelopment development areas, included extended development areas.

6.2 When a void property is let as Temporary Accommodation (TA), the occupant will not acquire any of the rights set out in the Re-housing Policy – Regeneration Schemes or the Local Lettings Plan for Large Panel System (LPS) Blocks that have been approved for secure council tenants. This is made clear to the household when they move into the property.

6.3 The LPS properties, or any other property in the redevelopment area or extended redevelopment area, used as temporary accommodation should

be kept under review. At an agreed point TA lets will be stopped and the re-housing of TA residents in the blocks should commence, including taking the decisions to serve the Notices to Quit (NTQ) or proceed with any other necessary route to seek vacant possession of the property. It is sought to delegate authority to the Corporate Director Homes and Adult Social Care to authorise to proceed with the required processes.

6.4 Secure council tenants may need to be vacated from the LPS blocks ahead of redevelopment should the Building Safety Regulator require to council to do so. As such, Cabinet is asked to agree to delegate authority to the Corporate Director for Homes & Adult Social Care to determine when to serve the Notice of Seeking Possession (NOSP) or other legal remedies to secure their removal, of the secure council tenants or TA tenants as necessary.

6.5 Cabinet are asked to note that to be eligible for a statutory homeloss payment, the secure council tenant would need to have been a secure council tenant and lived at the property as their principal home prior for at least 12 months prior to the date at which they were displaced. Cabinet is asked for delegated authority to the Corporate Director Homes and Adult Social Care to update the Local Lettings Plan for Large Panel System (LPS) blocks and the Rehousing Policy – Regeneration Schemes where required.

7. Land assembly – Nettleton Court & Dudeney Lodge, Hollingdean site

7.1 At the Nettleton Court and Dudeney Lodge Hollingdean site, there is an opportunity for wider land assembly beyond the LPS blocks and extending the redevelopment area to provide additional housing. A voluntary freehold property purchase and additional council owned land and property has been identified and more details are contained within the Part 2 report. The freehold property purchase would be based upon the existing resident leaseholder offer for LPS resident leaseholders. Cabinet is asked to delegate authority to the Corporate Director Homes and Adult Social Care in consultation with the Cabinet Member for Housing to consider land assembly requirements and approve the acquisition of property where required in accordance with the Part 1 and Part 2 reports.

7.2 Completion of the acquisition and appropriation of the land within the proposed extended redevelopment area, together with the steps outlined above, is projected to increase the number of homes and will give rise to the potential of a phased approach to redevelopment. It is likely to improve the cohesion of design of the masterplan area and improve viability.

7.3 Further redevelopment opportunities and land assembly for the Hollingdean site has been considered. Following a consultation under Section 105 of the Housing Act 1985, it is proposed to extend the redevelopment area to enable adjacent Ditchling Road properties in the council's ownership to be included. As such, secure council tenants included in the extended redevelopment area are proposed to be given the rights as set out in the Rehousing Policy – Regeneration Schemes and the local Lettings Plan for Large Panel System (LPS) Blocks to align with those in Nettleton Court and Dudeney Lodge and approve the budget for the land assembly.

7.4 Cabinet is asked to approve the service of an Initial Demolition Notice on the secure tenant of a home in the extended redevelopment area, pursuant to paragraph 4(2) of Schedule 5A of the Housing Act 1985 (as amended) and agrees to delegate authority to the Corporate Director for Homes and Adult Social Care to determine the timing and service of the Initial Demolition Notice.

8. Redevelopment Proposals

8.1 Cabinet is asked to agree to delegate authority to the Corporate Director for Homes and Adult Social Care to carry out and then consider Section 105 of Housing Act 1985 consultation for the land surrounding the LPS blocks to be included in the extended LPS development proposal areas for purposes of site set up/demolition/construction welfare areas for all sites where required to enable the delivery of the redevelopment proposals. Consideration of the inclusion in the redevelopment proposal area to enable masterplan improvements including landscaping and opportunities for phased redevelopment and on-site Biodiversity Net Gain opportunities is sought to be delegated to the Corporate Director of Homes and Adult Social Care.

9. Chapel Street Public Car Park

9.1 The public pay-and-display car park beneath St James's House has been closed since 14 July 2024 to meet the requirements of the Building Safety Regulator and East Sussex Fire and Rescue due to its location beneath an LPS block. A delegated decision was made in December 2025 that designs for development of the site would proceed without a replacement public car park.

9.2 Permanent closure of the public pay-and-display car park is now proposed. This does not affect the St. James' Court resident car parking. The public car park closure will enable the council to reduce expenditure on car park equipment maintenance expenses and business rates. Not replacing the car park will avoid High Rise Building (HRB) risk, additional costs and technical challenges that would impact the redevelopment financial viability and delivery. Early Planning advice supports this position, but any development design proposals will be subject to consultation and technical assessments.

9.3 Permanent closure is subject to the outcome of a Traffic Regulation Order and the final decision will be made in accordance with that process and the Council's scheme of delegations.

10. Independent Tenant and Leaseholder Advisor

10.1 An Independent Leaseholder and Tenant Adviser (ITLA) is being co-procured by the council with Resident Advisory Group resident members, who have received training, to provide advice and support to the building occupants.

10.2 It is best practice in regeneration programmes to provide ITL provision to provide independent support and advice to residents, and it is a mitigating factor for the vacant possession risk. A budget is sought for this provision. As the council are running a competitive procurement process, details of the budget are contained in the Part 2 report.

11. Staff Resources

11.1 The budget approved at Cabinet on 17 July 2025 approved a dedicated LPS Estate Renewal team until 2029/30, however to achieve the progress needed to ensure the timelines required for the Initial Demolition Notice additional dedicated staff are required.

11.2 Cabinet is asked to note the challenging external industry conditions and as such to manage risk to the programme delivery and avoid slippage to the programme and additional associated costs, is asked to approve an additional budget of £250k to support dedicated LPS masterplan staff resourcing and reduce vacant possession risk, drive programme delivery to reduce development costs and support residents through rehousing and the masterplanning work. Costs will be capitalised to the schemes and included in the financial appraisal as Administration & Development costs.

11.3 It should be noted that a further staff and consultant budget will be sought for the delivery stages of the masterplans in a future Cabinet paper.

12. Financial Viability

12.1 Several factors impact the financial viability of delivery of the redevelopment of the LPS sites, including increasing build costs and inflation, statutory and regulatory and planning costs, low social rent values are some challenges impacting redevelopment. The three sites will not achieve break-even for the HRA. Therefore, delivery models need to be considered to enable masterplan delivery and an optimised approach to the redevelopment designs as outlined in 3.7 of this report.

12.2 Work to assess viability and delivery routes is ongoing and further information will be provided in a report to Cabinet in 2027.

13. Analysis and consideration of alternative options

13.1 Not approving the recommendations would avoid immediate additional commitments but would increase uncertainty for residents and leaseholders, constrain the masterplan development proposals and programme resource, while increasing vacant possession, delay, and viability risks. Approving these recommendations will help enable a more viable deconstruction and construction programme and is likely to enable more homes to be delivered across the programme.

13.2 Deferring decisions to a future report, anticipated in 2027 would allow more issues to be considered together but would cause delays that would be to the detriment of the residents of the building by increasing uncertainty and prolonging the programme, and impact financial viability.

14. Community engagement and consultation

14.1 Resident engagement was enhanced in the lead in to service of the IDNs and has included community days, newsletters, one-to-one visits and drop-in sessions. The dedicated LPS engagement team have contacted all secure council tenants not yet signed up to Homemove to identify what additional support they may require and are working alongside the LPS Rehousing Officers to provide the information those tenants require.

14.2 Following the listening exercise carried out with the communities by the Director of Estate Renewal, the Resident Advisory Group now has two sub-groups – Resident Communication Champions who review communications to the community before they are sent out to ensure understandable and seek suggestions, and Resident Procurement Champions who have been trained to be involved in co-procurement with the council, including Independent Tenant and Leaseholder Advisors. Resident Design Champions are being capacity built to engage in the production of Resident Design Charters to support the design team procurement.

14.3 A dedicated newsletter explaining the council's decision to redevelop the three sites, and the issuing of the Initial Demolition Notice, with a guarantee that we will consult with them on design proposals has been sent to all residential and non-residential premises within a 300m radius of each site.

14.4 Prior to the IDN's being served, a briefing was offered to all Ward Councillors and one briefing was held. The newsletters and a copy of the IDN and associated documents were provided to all Ward Councillors and MPs in advance of the notices being served.

15. Financial implications

15.1 Cabinet is requested to approve an additional HRA capital budget of £1.460m to support programme delivery, including land assembly, resident rehousing and support arrangements, programme resourcing and associated legal and development costs. Detailed financial implications are set out in the accompanying Part 2 report.

15.2 The proposed expenditure is currently considered affordable within the HRA Business Plan. The additional budget will support programme delivery and resourcing requirements at this stage; however, financial viability assessments and delivery options remain under development and will be reported to a future Cabinet meeting as the programme progresses. The programme includes additional staffing resources and employees engaged over an extended period may become entitled to employment rights comparable to permanent employees, which could give rise to future financial commitments should the resource requirements of the programme change.

15.3 The permanent closure of the Chapel Street car park has already been reflected within existing financial planning assumptions and does not give

rise to any new material financial implications arising from the recommendations within this report.

15.4 Expenditure will be monitored through the Council's monthly Targeted Budget Management (TBM) process, with any variances reported through routine financial monitoring arrangements. The programme is expected to continue over a number of years and any additional funding or resource requirements beyond existing approved budgets will be subject to separate approval and reported through future Cabinet reports, as required.

Name of finance officer consulted: Ferrise Hall Date consulted 15th October 2026

16. Legal implications

16.1 The approvals sought by the recommendations in this report for the three areas in the LPS programme are primarily focused on progressing resident rehousing, reducing risks regarding seeking vacant possession, undertaking land assembly, and related programme activity, the legal powers for which have been outlined in previous reports on the LPS projects and continue to be applicable for any extended redevelopment areas proposed.

16.2 Seeking vacant possession of properties prior to demolition is a critical part of the programme plans and the details relating to all forms of tenure are set out in preceding sections of this report above. The Council's ability to obtain vacant possession in relation to the various tenures in the redevelopment areas are subject to a number of legal requirements and processes. Each tenure will come with its own requirements and should not be considered to be an automatic proposition. Note should also be taken that legal processes to acquire possession can be lengthy and so ample time in the programme plans for each project should be given in advance of the need for vacant possession to allow for these processes (which should be used as a last resort).

16.3 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 any CPO. These are powers of last resort and would be the subject of further reports to Cabinet.

16.4 All steps taken must be in accordance with the Public Sector Equality Duty and taking into account protected characteristics.

Name of lawyer consulted: Siobhan Fry and Simon Court 16 October 2026

17. Risk implications

17.1 A programme risk register and project risk registers are actively monitored to consider mitigations to key risks.

Key Risk	Mitigation
Failure to secure land interests	Negotiation and decision at early design stage to confirm development area
Delay to vacant possession	Additional staff resource and budget is sought in this report to support rehousing, land assembly, negotiations, and resident leaseholder bespoke 'leaseholder assistance' offer and Home Ownership pilot.
Financial viability	Additional staff resource to avoid programme delays to rehousing and interest costs. An optimised approach to design development. Closure of the public Chapel Street car park will avoid business rates costs and maintenance costs.
Limited move-on accommodation	Council buyback programme and development of more council social rented homes
Loss of resident confidence and support	Additional staff resource to avoid programme delays, budget as sought in this report for Independent Tenant and Leaseholder Advisor

18. Equalities implications

18.1 The programme affects a diverse resident population. There are live Equality Impact Assessments (EIA), and these have been updated for this report and are regularly reviewed as part of the programme governance.

18.2 An EIA specifically covering the service of the Initial Demolition Notices has been completed (Appendix 1).

18.3 The EIA for Nettleton Court & Dudeny Lodge, Hollingdean site has been updated to include additional properties (Appendix 2) and notes a minor impact.

18.3 These assessments have and continue to inform delivery of key programme information and communication and adhere to the requirements set out in the 19th March 2026 report section 12.

19. Sustainability implications

19.1 The masterplans provide an opportunity to replace ageing housing with more energy-efficient homes and to integrate biodiversity net gain, climate

resilience, sustainable transport, open space and improved neighbourhood connectivity, by taking a place-based approach.

20. Health and Wellbeing Implications

20.1 The dedicated LPS Community Engagement Officers, LPS Re-Housing Officers and the Independent Tenant and Leaseholder Advisor will support residents and signpost to specialist services where appropriate. TDC have been appointed to provide health and wellbeing support services to residents living in the LPS blocks in 2026-2027.

20.2 Improved housing quality, accessibility and energy performance will benefit health and wellbeing. Rehousing and construction may also cause disruption and stress to the residents of the blocks and the local community respectively. Resident support, accessible communication and individual needs assessments have been carried out with residents of the buildings to mitigate the impact on them.

Other Implications

21. Procurement implications

21.1 Procurement of the consultant and design team, and the ITLA will comply with the Council's procurement requirements, Procurement Act 2023 and Procurement Regulations 2024 and consider sustainable procurement and social value, including employment, skills, apprenticeships, local supply chains and community benefit.

22. Crime & disorder implications

22.1 Future design will apply appropriate security and designing-out-crime principles. Management during decant, demolition and construction will address risks associated with vacant or partially vacant buildings, site security, and anti-social behaviour risks.

23. Conclusion

23.1 The recommendations provide the enabling decisions and resources needed to progress the next phase of the LPS redevelopment programme while retaining clear gateways for detailed financial, legal, consultation and delivery-route decisions. Cabinet is therefore recommended to approve the recommendations at Section 2.

Supporting Documentation

Appendices

1. Masterplan Areas EIA – IDN service
2. Nettleton & Dudeney LPS EIA Oct 26

Background documents

Previous Cabinet Reports	
Cabinet 20 March 2025	Large Panel System Blocks Programme Update https://democracy.brighton-hove.gov.uk/ieListDocuments.aspx?CId=1110&MId=11616&Ver=4
Cabinet 17 July 2025	Large Panel System Blocks – Options Appraisal and Recommendations https://democracy.brighton-hove.gov.uk/ieListDocuments.aspx?CId=1110&MId=11939&Ver=4
Cabinet 19 March 2026	Large Panel Systems Building and Estates Renewal – Section 105, Rehousing Policy and Leaseholder Offer Consultation Programme https://democracy.brighton-hove.gov.uk/ieListDocuments.aspx?CId=1110&MId=11946&Ver=4