

Sent: Tuesday, 4 April 2017, 23:45  
Re: Warwick Road Estate consultation  
To: RBKC Councillors

Dear Sirs;

Re: Pembroke Road consultation meeting 30/03/2017

It has now been more than 4 years since we, the residents of Warwick Road Estate (WRE), were notified of RBKC's intention to regenerate our estate. The uncertainty caused by your announcement has put immense strain on us and made our daily lives unbearable.

During these four years, you have created extreme levels of stress and tension amongst us by what could only be described as RBKC's incompetence in engaging in a human and civil regeneration process, a short summary of which follows below;

1. You held three-monthly consultation meetings in the course of 2013-2014, during which you did not listen to our views declaring dis-satisfaction with your development options and the way you were bulldozing your way through the option review process without paying heed to our needs.

2. You did not even contemplate developing an offer for the leaseholders to return to the new regeneration until very late in the consultation process when one of our leaseholders brought to your attention that Westminster City Council routinely offered its leaseholders a shared equity offer (SEO) in their regeneration projects (in those areas where the majority of residents allotted voted in favour of regeneration), and then you only talked about a possible SEO, no written document was prepared until a year and a half later on November 2015. In the last of these consultation meetings, Councillor Feilding-Mellen assured the non-resident leaseholders that RBKC would give ample notice to them to enable them to return to their flats at WRE in order to take advantage of any forthcoming SEO if they wished to do so.

3. You then presented option 4.4 to the cabinet in the summer of 2014 as your preferred option, and ignoring all our views, told Cabinet that the residents were in favour of option 4.4 (which could not be further from the truth). This caused an uproar on our estate prompting a number of residents to write in and complain about this untruth (including myself).

4. Given how things were proceeding, we formed a leaseholders' association in May 2015, WRELA (with over 80% of leaseholders on our estate as members), in order to oppose the regeneration along option 4.4 axis. Instead of communicating with us, you preferred to hold meetings with an unelected and unrepresented tenant of WRE, who had no legitimate mandate from residents to speak on their behalf.

5. In November 2015, you finally provided us with a shared equity offer (SEO). The offer was so unattractive and untenable that in practice made it impossible for leaseholders to return to the new regeneration, and WRELA, after extensive consultation with its members, sent a long and detailed rejection of this offer, explaining the basis for this rejection in detailed terms, including comments from our members about your offer.

6. You bulldozed along, and informed us in early 2016 that you were instructing an architect to draw up plans for the regeneration as per option 4.4. You continued holding meetings with that unrepresented tenant instead of meeting with us, the only properly formed association in WRE at the time.

7. Our independent surveyor sent you a letter in March 2016 - a letter which has not yet been answered formally and in writing - asking a lot of questions and highlighting that you had not done your homework correctly and not conducted the consultation process with due diligence.

8. In May 2016, you attempted to set up a dummy resident association in WRE, aided and abetted by the TMO & RBKC staff, in particular Ms Ruth Angel, with the help of the same unrepresented tenant that you were holding meetings with (the very same individual who at the outset of this process was the most opposed to the formation of a Residents Association!). We mobilized the WRE's residents, managed to foil your attempt, and formed our own truly-independent resident association, WRERA.

9. You, suddenly, without informing us that you had done a U-turn, in so far that you had failed to conduct proper consultations in the first round of consultation in 2013-14 and you needed to conduct a new round of consultation, announced a consultation meeting in the summer of 2016 about the works of a new firm of architects (KPF) that you had engaged. In that meeting, you simply said that the consultation about regeneration options were on-going, ignoring the fact that you had presented your favourite option 4.4 to the cabinet in 2014, that it was approved by them and that you engaged another firm of architects to draw up plans for it. In fact, you had wasted all our time, made the leaseholders lives miserable during 2013-2016, wasted a lot of tax payers' money for your previous failed round of consultations to the tune of hundreds of thousand pounds (you should disclose the cost of the failed consultation meetings of 2013-104), did not even have the courtesy to admit that you were doing a U-turn, and essentially took us back to the very first step of consultation meetings & process. Three and a half miserable years wasted. Who is responsible for this? With all the legal counsel at your disposal, knowing that you were destroying our community and our lives in the borough without offering an option for the leaseholders to return, you failed to conduct a satisfactory due diligence process. Someone should resign for wasting hundreds of thousands of pounds and making our lives unbearable.

10. Ms. Angel was replaced by your new man, Mr Martin Mortimer, who seemed to be more forthcoming, communicated with us at every step, and made sure that your architects considered a variety of options in what I hesitate to call consultation meetings, especially the first two; I prefer to refer to them as presentation meetings. These meetings, as opposed to the three-monthly consultation meetings held in 2013-14, happened with great speed and almost on a monthly basis, not giving us the time to consider the architect's presentation with due diligence.

11. Never-the-less, seeing a new approach from Mr Mortimer, hoping that the period of intense stress that we were subjected to by RBKC was possibly coming to an end and relying on Mr Mortimer's clear and unequivocal admission that the previous SEO issued at the start of November 2015 was not appropriate and a new SEO will be offered to leaseholders allowing their return to the new regeneration, WRELA members actively contributed in the last round of consultation meetings that started in late October 2016.

12. On 1st of December 2016, WRELA members held a three-hour meeting with Mr Mortimer and his team (including Robert Shaw) from RBKC and put our demands in respect of any forthcoming SEO to them. Mr Mortimer told me that he was very grateful for the methodical and organised way that we put our demands to RBKC explaining our reasoning and methodology.

13. The secretary of WRELA chased after the SEO from RBKC, effectively arguing that we are participating in the consultation meetings on the assumption that the leaseholders could return to the new regeneration through an acceptable SEO. He even suggested that any Cabinet meeting for the approval of the final development option should be delayed if the SEO was delivered late by RBKC. We were finally promised that a new SEO will be delivered to the leaseholders on 01/03/2017. It was actually delivered on the evening of 28/03/2017, barely two days before the final consultation meeting! The SEO was exactly the same, in its substantial clauses, as the original SEO offered by RBKC in 2015. Not a single of our demands were met. And there was little evidence of what had been progressed in the interval of 16+ months between the first and second offer. Effectively, the terms as presented in your document would mean that none of our members could take advantage of this new SEO to return to the new regeneration. Our members are unified behind my interpretation of your SEO. After all, in this day and age, with the growing awareness of the terrible impact of the breakup of communities and the displacement of its residents, any local authority planning for regeneration should provide for the return of the leaseholders to the new regeneration, or their ability to stay in the local area, and we would have no problem in proving in any court of law or any tribunal that RBKC's SEO does not fulfil this need.

14. On 30th of March 2017, the final round of consultation meeting took place. RBKC informed us that their preferred option was either options eight or nine, creating a minimum of 377 to a maximum of 393 residential units. Time and time again we were told by RBKC that they do not want to make any profit from the regeneration and as long as the residential units built for private open market sales paid for the cost of regeneration, they were happy. Well, the old option 4.4 that was approved by the cabinet in the summer of 2014 created 228 residential units. It stands to reason that building 149 to 165 extra residential units will increase RBKC's profit and that of the private developer that would develop Warwick Road Estate substantially. With such an immense increase in profit, at the cost of the demolition of our homes, why could RBKC not offer a decent SEO that would enable the return of the leaseholders to the new regeneration? Time and time again councillor Feilding-Mellen has declared that regeneration has not got the goal of moving the leaseholders into luxury properties. In the first place, leaseholders of Warwick Road Estates did not ask for their houses to be demolished so that RBKC and private developers could make millions of pounds of profits. If you had the decency to ask us before you informed us that you were going ahead with the regeneration of WRE, like Westminster City Council does, you would have discovered that we opposed the regeneration. It is not us who have asked for our houses to be demolished, our community to be disrupted, our children to be taken out of their school thereby losing their friends and getting uprooted outside the borough, and our network of support specially for our elderly to be taken away. Because this is what your existing SEO means. It is now established that it is incumbent on a local authority planning a regeneration to provide for the return of all residents, tenants and leaseholders alike, to the new regeneration. Well, do so councillor Feilding-Mellen.

15. Following extensive, intense discussions on your draft Leaseholder document, on behalf of our members, I declare the views presented by them in this last round of "consultation meetings" held in 2016-2017 null and void, as these views were given under the false impression that they would be able to return to the new regeneration. It is meaningless and deceitful to hold consultation meetings before the right of all residents to return to the new regeneration is guaranteed in written documents.

16. In the light of above, and in order to keep our properties intact, we now wish to express a preference for one of the partial redevelopment options which does not involve the demolition of our homes, the break-up of our community and the forced displacement of our residents.

17. Since the existing RBKC's SEO offer does not allow the leaseholders to return to the new regeneration, we demand that all consultation processes be immediately stopped and the cabinet meeting delayed until such time that we agree with RBKC on the terms of their SEO. We obviously will make our opinion known about the current SEO clause by clause by e-mail as per the consultation document. But the quality of the document presented to us for consultation is so poor that we feel a line needs to be drawn in the sand. We are not prepared to participate in yet one more informal meeting where our views are first collected and then promptly ignored. We demand that RBKC starts forthwith negotiating with us on the SEO in formal meetings where RBKC's negotiating officers are empowered to make decisions.

18. We invite RBKC to hold a new round of consultation meetings, and that only after a SEO has been agreed by us.

19. As things stand, we are left with no choice but to vehemently oppose RBKC's preferred options 8 and 9. We had prepared to oppose the old option 4.4 approved by Cabinet, and we have all our CPO specialist consultants in place. So, we are ready to do the same with options 8 and 9.

Yours faithfully

Behzad Seyf  
Chairperson of WRELA