

Email Colette McCann 131024

Subject: Response to Letter 10 October 2024 with regard to Letter sent to Max Caller Lead Commissioner

Dear Colette,

I trust this email finds you well.

Thank you for your letter dated 10 October 2024, in response to my correspondence of 23 September 2024, addressed to Mr. Max Caller CBE and subsequently forwarded to you by Ms. Joanne Roney CBE. For your reference, I have attached copies of both letters.

While we appreciate the Council's acknowledgment of the challenges we face, I must express our disappointment with the substance of your response. Residents expected a thorough and comprehensive reply addressing the critical concerns regarding the financial viability of the Ladywood Regeneration Project. Instead, the response shows elements of optimism bias and fails to fully address key risks and operational concerns. For a project of this scale and complexity, it is crucial that concrete information is provided. Therefore, a detailed response is requested on the following points:

Financial Risk Assessment:

We expected a thorough breakdown of the financial risks associated with the project, particularly in light of the Council's current financial situation and the Section 114 notice. This would include specific identification of risks related to land assembly, structural repairs, and the potential withdrawal of the developer.

Contingency Plans:

There is a lack of clarity on contingency strategies for significant risks such as developer withdrawal, blight notices, and unsold market-sale homes, such as those in the JQ Rise apartments. Additionally, plans regarding the Council's approach to managing Compulsory Purchase Order (CPO) payouts in case of developer exit have not been addressed.

Developer Agreements and Funding Obligations:

Full disclosure of the agreements with St Joseph Homes (Berkeley Homes Plc) is required, particularly regarding their financial responsibility for bringing existing council housing within the regeneration area up to Decent Home Standards (EPC Standard C). More recently, Cllr Sharon Thompson had explicitly stated that the lack of additional council homes in the project was due to the developer's obligation to bring the current stock up to these standards, which was costed in the June 2023 Cabinet Report at over £125 million. There is now an apparent contradiction in your letter regarding this responsibility. Your statement indicates that the Council's capital programme will contribute to these costs, which contradicts the original premise. Clarification on this point is crucial to understanding the project's overall financial structure and the developer's obligations. Additionally, it is essential to explain how the developer's obligations in relation to EPC Standard C impact the provision of additional social housing.

The June 2023 Cabinet Report Appendix 2 B2 mentions that "the council will be able to buy additional affordable homes built across the scheme." Are these provisions still viable under the current financial arrangements?

Projected Housing Sales Data:

We also request market analysis and sales projections for the Ladywood regeneration zone, particularly regarding the sale of market-rate homes, which are critical to subsidising the affordable housing component of the project. If market sales do not meet expectations, what contingency plans are in place to ensure that the Council can still meet its affordable housing obligations?

Environmental and Legal Assessments:

The environmental implications of mass demolition, particularly regarding the Council's net-zero carbon commitments, must be clearly outlined. Additionally, what legal risk assessments have been conducted to address potential challenges related to environmental concerns or resident litigation, such as those arising from blight notices?

Resident and Community Charter Consultation Process and Omission of Public Participation Principles:

In your letter, you reference the Resident and Community Charter, and I must reiterate the serious concerns we have raised regarding the lack of meaningful public participation and consultation in the development of the Ladywood Regeneration Project, as outlined in our letter dated 9 September 2024, attached for your reference. The draft Ladywood Residents' Charter does not reflect the **five Public Participation Principles (Powered by People)**, which are crucial for a project of this magnitude.

Your acknowledgment of the Council's shortcomings in earlier stages of consultation is troubling, as it implies that public engagement has been treated as an afterthought. While efforts to rebuild relationships are welcomed, they must be supported by tangible actions to ensure that public participation is not merely promised, but fully integrated into all phases of the regeneration process.

Genuine public engagement should be an integral part of the planning process from the outset, ensuring that residents are actively involved in decision-making rather than being informed only after key decisions have been made. The absence of a comprehensive public consultation framework severely undermines the transparency and accountability that the Council has pledged to restore. As a result, trust between the community and the Council has been significantly eroded.

The Council claims that the consultation has been extensive, but it must provide evidence to substantiate this. We have not seen any consultation data, nor clear proof that residents' feedback has been incorporated into shaping the Charter. There are marked differences between the specific demands outlined by residents in the "What We Know So Far" section and what the Charter sets forth in the Residents' Offer. It is hard to see how residents' concerns and needs have been adequately addressed in the first draft of the Charter, and the available evidence suggests otherwise. How has the feedback collected by the Council since October been used to inform the drafting of the community charter? Moreover, how has the consultation process been applied to evaluate the best course of action, in line with the five Public Participation Principles of the Powered by People framework?

We seek clarification on how the feedback gathered by the Council has been utilised in drafting the Resident and Community Charter. Additionally, we request further explanation of how the consultation process has been leveraged to determine the most appropriate path forward, as per the five Public Participation Principles within the Powered by People framework.

We look forward to reviewing the second draft of the Resident and Community Charter, which must demonstrate clearly that residents' views have not only been considered but have played a central role in shaping the document and there is clear evidence that the five Public Participation Principles are at the heart of this document.

Consideration of Alternative Proposals:

We expected documentation showing that alternative, less financially and environmentally risky regeneration approaches were thoroughly explored. Your response does not explain why no market competition was involved in selecting the developer, or why other approaches have not been considered. These details are essential to ensure the project's financial sustainability and its compliance with broader legal and regulatory standards.

In conclusion, the Ladywood Regeneration Project presents significant financial and operational risks, which remain inadequately addressed in your response. We urge the Council to provide the necessary information to demonstrate that the project remains financially viable and aligned with statutory housing obligations. This is critical not only for the project's success but also for maintaining the trust of Ladywood residents and stakeholders.

We look forward to receiving a more comprehensive response that addresses these concerns in detail.

Yours sincerely

George

Ladywood Unite Volunteer