

Councillor Maryam Eslamdoust
Camden Council
Town Hall
Judd Street, London
WC1H 9JE

Re: Please Prevent Massive Loss of Social Housing Triggered by a Decision Obtained by Fraud, Deceit and Corruption

Dear Councillor Maryam Eslamdoust,

I am writing you regarding a proposed redevelopment of a large council estate (Bacton Estate) with the apparent aim to benefit certain private parties at the public expense. As shown in the e-mail, not only the scheme will result in a loss of about 9,000 sqm of social housing floor space (at the time Camden is in going through an acute social housing crisis) but even the decision itself has been obtained by deceit and fraud. Furthermore, there has been an overwhelming evidence of corruption showing that private parties have made substantial payments to the employees of Camden Council as well as formed a group of individuals "tasked with supporting the scheme" to deliberately mislead the Cabinet about the public support. They were not volunteers, they were paid to mislead the elected Camden Council Cabinet. Furthermore, anticipating multimillion profits from rebuilding the Council property, the promoters did not hesitate to intimidate and harass the residents, forcing them to leave.

The evidence confirms that not only the proposed redevelopment is contrary to the public interests by also the decision has been obtained by interested parties by defrauding the Cabinet. Specifically, the loss to the public includes but is not limited to:

- i. The loss of approximately 9,000 square metres of social housing stock at Bacton estate since following the proposed redevelopment, the available social housing stock at Bacton estate would decline from over 14,000 square meters to under 5,000 square meters.
- ii. Importantly, most of the social houses presently available at Bacton Estate are "large homes", primarily 3-bedroom homes, specially designed to create an environment of a terraced home while offering additional benefits of access to gardens, playgrounds and open spaces.
- iii. Loss of a communal garden.
- iv. Loss of a playground.
- v. Loss of an open space.
- vi. Loss of garages.

Evidence of corruption and actions to mislead the Council Cabinet and other decision makers.

Furthermore, the promoters of the scheme who had strong personal interests in the scheme being approved, have defrauded the Cabinet members (in fact, the decision to approve the scheme was based on the asserted findings of a study/report which, as was discovered eventually, have never been undertaken), the promoters have created a resident group called RDCP and "tasked it with expressing the public support for the scheme". Furthermore, the promoters used public funds to pay RDCP. Essentially, not only the promoters have deliberately mislead the Cabinet and other decision makers about the public support for the scheme but also used public funds for, essentially, criminal activity undermining principles of modern democracy. Essentially, to defraud the elected body, the promoters of the scheme have deliberately established a group of individuals to mislead the Council about the public support for the scheme.

However, I was absolutely perplexed by discovering the fact that the Regeneration Team Leader Mr. Adam Tucker was receiving regular payments from Savills Plc., the estate agent. Not only this behavior

has created an obvious conflict of interests but was also contrary to the UK Bribery Act 2010. I would like to stress that being faced with evidence, Mr. Tucker had no choice but to admit receiving payments from Savills at the public enquiry on 2 September 2016. It shall be added that Savills had a very good return on the payments to Mr. Tucker though. According to the publicly available information, Savills has been given a £1.95mn contract for “advisory and marketing work” at Bacton Estate alone. If this is not corruption, I do not know what corruption is.

The promoters have misled the Cabinet to approve the application based on a *non-existing report*. The Cabinet has been deliberately defrauded by the promoters to have the redevelopment scheme approved, contrary to the national, local and GLA policies and contrary to Section 93(4) of the Local Government and Housing Act 1989. Pursuing their goals, the scheme promoters have assured the Cabinet that a stock condition report prepared based on the stock condition survey in 2011 showed excessive renovation costs. However, neither the survey has been carried out nor report ever existed. This has been reluctantly confirmed by several executives of the regeneration team, including Jed Young, Julia Farr, Jennifer Lunn and Tayo Araoye. I would like to stress that the conclusion that the Camden Council Cabinet has been defrauded is a fact, not an assumption or a personal view. Having made a Subject Access Request, I managed to obtain relevant correspondence clearly and unambiguously confirming that the Cabinet has been misled to make a decision benefiting certain interested parties. Such parties are believed to include Savills Estate Agents (in fact, the latter went as far as paid substantial amounts of money to Mr. Adam Tucker), Rydon and Rolton Group .

The decision to demolish the existing Estate and rebuild as opposed to renovate without demolition was made by the Cabinet based on a belief that the renovation costs total £5m for the Estate and £40,000 - £50,000 per house. This belief was based on the assumption that a report prepared on a stock condition survey in 2011 “indicated expenditure of £40,000 - £50,000 per unit would be needed to remedy” existing defects. However, as was revealed subsequently, the survey has not been undertaken and the report the decision makers relied on has never existed.

This is confirmed by the evidence which was submitted at the Inquiry. First, an email from Julia Farr to Jennifer Lunn and Tayo Araoye dated 11 May 2016 confirms that “no further expense was incurred on undertaking a condition survey of stock that was destined for demolition and new build”. Second, an email sent by Jennifer Lunn to Adam Tucker and Julia Farr on 20 May 2016³⁸ in which it is admitted that the Council is not going to disclose the viability report. Third, an email from Jed Young stating “I am not sure if this was a specific survey for Gospel Oak as part of capital challenge or an extract of a whole borough survey”.

The correspondence clearly confirms that the Cabinet decision has been obtained by deceit since the Cabinet members made to believe that there is a report showing exceptional modernization costs of Bacton Estate while neither report existed nor survey taken place. It is evident that a decision obtained by deceit is unlawful. There is a wide range of authorities on this matter, including *Simplex G.E. (Holdings) Limited Rialto Builders Limited v The Secretary of State For the Environment and The City and District of St. Albans District Council*.

Intimidation and Harassment of Residents. Furthermore, to force the tenants and residents to leave, the promoters have launched a campaign to intimidate and harass the tenants. This included blocking entrance doors, deliberately causing damage to the garden and the playground, deliberately breaking storages and damaging the staircase to the extent that using it has become extremely dangerous. Due to the extreme health and safety risks, even the Royal Mail refused attending the premises on the health and safety concerns. Given that the intimidation and harassment went to the extent that the Royal Mail employees have serious health and safety concerns to enter the estate for a few minutes to drop the correspondence, it is evident that the residents have been exposed to extreme health and safety risks. Furthermore, back in 2016, the promoters have intentionally deposited hazardous and inflammable

materials, including canisters of butane gas, in the public hallways and at the entrances to the building. This has resulted in a fire in 2016. While most of the inflammable materials have been removed after the fire, this shows that anticipating substantial profits from the redevelopment and selling former council property on the market, the promoters and interested parties have not hesitated to put lives and health of the residents, including minor children and elderly at risk. Such behaviour is unthinkable in a modern democratic society. Yet, the promoters did not hesitate to intimidate and harass the residents to ensure gaining huge profit at the public expense.

Furthermore, the Cabinet has also been misled by the promoters about the benefits of the scheme. Camden has established several housing policies aimed to increase and protect existing social housing (policies H2 and H4 and H5 of the Camden Plan).

The test for the compliance with the affordable housing policies is set in Policies H2 and H4. As confirmed at 3.54 of the Camden Plan

"the Council's affordable housing target is 50% of the total addition to housing floorspace." The original project profoundly failed this test which is a common ground. Now, the Applicant suggests reducing the percentage of affordable homes further given that only ONE out of the 20 proposed units is going to be an affordable home.

Since the policies apply concurrently, the Camden Plan requires that 50% of the incremental housing to be affordable AFTER replacing the affordable (e.g. social rent housing in the instant case) being demolished. Since both the number and size of the social rent flats is considerably smaller than the number and size of the existing social rent houses (most of which are also priority large homes, as defined by the policy), the scheme fails to even replace the social rent housing earmarked for demolition. Since the amount of the new social housing is not sufficient for even a simple replacement, the policy fails to comply with all relevant policies, namely, H2, H4 and H5.

It is not in dispute and admitted by Quod acting on behalf of the promoters that the Gross Internal Area of the current Bacton Low Rise estate is 14,958 sqm. This includes 14,858 sqm of social housing owned by Camden. Respectively, pursuant to the concurrent implementation of policies H2: "Maximising the supply of self-contained housing from mixed-use schemes", H4: "Maximising the supply of affordable housing" and H5: "Protecting and improving affordable housing", the applicant has to deliver: 24,174.7 sqm of affordable housing, including at least **20,448 sqm of social rent housing**. However, a detailed analysis of the scheme (as amended) confirms that, following the requested amendments, the Applicant is seeking to deliver only

- 17 x 1-bedroom social housing properties,
- 50 sqm each;
- 23x 2-bedroom social housing properties,
- 68.7 sqm each;
- 17x 3-bedroom social housing properties,
- 112.9 sqm each;
- 4x 4-bedroom social housing properties, 161 sqm each;

Respectively, the development, as amended, would result in delivery of only **4,919 sqm** of affordable social housing which is about a third of the existing social rent housing space and less than a quarter required for compliance with the adopted policies (H2, H3 and H5). **This represent a NET LOSS of almost 9,000 sqm of social housing space at the time Camden is experiencing an acute social housing crisis.**

Importantly, this is taken place when mothers with children are being placed by the applicant into ill-suitable hostels and hundreds of other applicants with lower priority are being forced to sleep on the streets. In fact, the Camden Council has essentially defaulted on its responsibility to provide affordable housing to the eligible residents as, having admitted that it is unable to provide social housing, it had to disqualify most of the applicants on the housing list by materially changing the eligibility criteria.

It should also be noted that the scheme (as amended) is contrary to Policy H7: Large and Small Homes since the amended scheme would result in a net loss of 37 social rent houses, including 39 Large Houses.

Not only the promoters fail to ensure that 50% of the incremental housing is affordable housing but even fails to replace the social rent housing to be lost as a result of the implementation of the amended scheme.

It is evident that while the scheme will benefit some private parties (and I believe it was designed to benefit the private parties at the onset), such benefits come at a huge expense to the community, including the loss of 9,000 sqm of affordable housing, primarily large homes whose shortage is extremely acute, loss of many garages, loss of an open space, a communal garden and two playgrounds. Importantly, this is taking place despite the Gospel Oak area being a deprived area whose residents have lower level of active engagement with nature (S 6.70 of CLP 2016). This makes resisting development of open spaces even more important since the Applicant admitted that Gospel Oak is one of the two areas with the most acute deficiency of open spaces at S. 6.51 of CLP 2016.

The scheme promoters have also misled the Council about certain design benefits, to maximize their already exceptional profit margins, the promoters decided to walk away from most of the promises given originally. In fact, having varied or revoked 34 of the 59 planning conditions, the promoters, more recently, have applied to revoke or vary further 25 planning conditions by making an application for Minor Material Amendment (registered under #2016/5358/P on the Camden Council Planning Portal). Essentially, the promoters are presently seeking to further revoke their undertakings given to the Camden Council Cabinet to have the scheme approved.

Given that that the decision has been obtained by fraud and deceit, there is an overwhelming evidence of corruption with private parties and promoters having induced the public officers and the massive loss of the social housing stock (by around 9,000 sqm) following the scheme implementation, I am seeking Camden to review the project and weight any potential benefits (which are non-existing, especially following the promoters decisions to walk away from any of the undertakings given to the Cabinet, as evidenced in the MMA application #2016/5358/P).

I am concerned that the size of the e-mail does not allow providing all the information and evidence of fraud, corruption and violations of the relevant statutes and adopted local, national and international policies. However, I will be happy to provide further substantial information and evidence. I would also like to enquire if your busy schedule may allow arranging a meeting to have a more substantive discussion. In the mean time, I will be grateful if you can forward my email to the Council's ethics and planning committees.

Please do not hesitate to contact me if any further information or evidence is needed.

Kind regards,



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