

## HOUSING ASSOCIATIONS: WHY HAS THE HALO SLIPPED?

### Abstract

In the late 1960s the status of housing associations was high but their standing has gradually slipped. This article highlights several reasons for this slide:

- Private Finance, market rents and low- cost homeownership promotion;
- The 'business mind';
- 'Affordable' rents;
- The Right to Buy;
- Stigmatisation and 'Poor doors'.

It concludes by suggesting ways that the reputation of housing associations can be restored.

### *A Golden Era?*

In the 19<sup>th</sup> century housing associations were the dominant suppliers of what is now called 'social housing' but, during the 20<sup>th</sup> century, they were eclipsed by local government and, by the early 1960s, they operated in niche areas such as accommodation for elderly people, owning only 0.5% of the housing stock. Many Labour controlled local authorities were suspicious of housing associations regarding them as land competitors, 'a "fifth wheel to the local authority coach" or an out-of-date and redundant form of housing provision' (Cullingworth, 1973 p 62). However, the late 1960s to the late 1970s was a golden era for housing associations. Their halos shone bright.

A different housing association breed had started to emerge, often financed by Shelter that, following the broadcast of *Cathy Come Home* in 1966, had received large donations. Called the 'new philanthropists' these associations — more radical than traditional associations — were concerned with inner-cities, opposed to the 'fee-grabbing' cost- rent and co-ownership societies' set up by Sir Kieth Joseph, and had 'social movement' characteristics — 'not a mere housing sector, but a cause' (Young, 2001, p 89). Shelter, under Des Wilson's leadership, set the tone, combining service provision with vigorous political campaigning, much to the Charity Commissioners' distress (Wilson, D. 2011). Labour started to give associations extra encouragement with the 1967 Housing Subsidies Act providing payments to housing associations, unavailable to local government, to acquire properties in 'stress areas'. *Widening the Choice: The Next Steps in Housing* (Department of the Environment, 1973), published by the Conservative government, set out proposals to lessen the 'polarisation' between

homeownership and renting from a local authority via a strengthened Housing Corporation and these proposals were incorporated into a bill introduced into Parliament. The incoming Labour government adopted the bill and it became the 1974 Housing Act. The Act introduced new forms of assistance to housing associations. Housing Association Grant (HAG) — renamed Social Housing Grant (SHA) in 1996 — met any gap between the actual costs of a new scheme and the 'fair rents' set by rent officers whereas Revenue Deficit Grant (RDG) was dealt with any problems on housing association balance sheets. Only associations registered with the Housing Corporation, with its duty to supervise registered housing associations, could receive grants. Boosted by extra resources supplied to the Housing Corporation and good protection against insolvency, the housing association new-build programme accelerated, to 17,392 in 1977/8. Much housing association activity was focused on improving older property in 'stress areas' designated under the 1974 Housing Act: in 1978/9 12318 houses were rehabilitated. Labour's housing association embrace reflected its growing disillusionment with 'council estates' that were being identified as 'problem estates' and their move from slum clearance to the improvement of older houses. Indeed in 1974, Reg Freeson, then Housing Minister, promoted 'genuine' co-operatives based on mutuality and participation via the Co-operative Housing Agency was launched in 1976 under the Housing Corporation. By 1979 housing associations owned 353,000 houses in England, 1.9% of the housing stock.

#### **The halo slides (1): Private Finance, market rents and low-cost homeownership.**

Margaret Thatcher regarded housing associations as part of the over-protected public sector. State assistance insulated them from market pressures and their borrowing contributing to public debt. Housing association properties were included in the bill aimed at facilitating 'public' housing sales via the Right to Buy but, following intense lobbying in the House of Lords, charitable housing associations were excluded from the 1980 Housing Act.

In cash terms, spending by the Housing Corporation remained constant in between 1982/3 and 1988/9 but higher costs produced a 33% fall in new completions despite housing association willingness — rapidly adapting to their new political masters — to become involved in schemes to stimulate homeownership. The Secretary of State for the Environment, Michael Heseltine, promoted a number of low-cost home ownership initiatives including an innovative scheme allowing people to identify a derelict property and renovate it with grants from the Housing Corporation. However, cuts in state grants for housing improvement restricted housing association involvement in improving older houses and low-cost homeownership did not reach those in greatest housing need.

The 1988 Housing Act marked a watershed in housing association history. The thinking underlying the Act was set out in *Housing: the Government's Proposals* (Department of the Environment, 1987). In future, housing associations would raise most of their capital finance from the private sector. All

rents — local authority, private landlord and housing association— would float to market levels with a more selective system of Housing Benefit protecting low-income households. Although the government did not use the term, a ‘quasi-market’ was to be created in rented accommodation with Housing Benefit acting as form of voucher for use by a low-income tenant to choose between landlords. Higher rents would make loans from the private sector more attractive to the financial institutions. Thus, under a Government intent on restricting public expenditure, associations obtained a major advantage over local authorities — their debt was now ‘private’ and they had greater access to capital. The price was exposure to risk, regarded by the Treasury as essential to the classification of housing associations as ‘independent’. Associations would let their homes under the same legal regime as private landlords. They would compete for public grants by submitting a resource bid that achieved the desired government objectives at with the lowest cost to the state and shoulder the financial consequences of their bids.

Helped by Section 106 agreements under the 1990 Town and Country Planning Act; greater access to private finance; a reduction in land and building costs and extra government resources granted as part of John Major’s ‘housing rescue package’, new completions in the sector reached 30,849 in England in 1994. By 1997 housing associations owned 985,000 properties, 4.7% of the housing stock. The cost of this expansion was higher rents and a larger Housing Benefit bill with the proportion of tenants claiming benefit rising from 53% to 69% between 1992 and 1997.

### **The halo dims (2) the ‘business mind’**

The 1988 Housing Act helped to change the ethos of housing associations. Purkis (2010, p 9) comments:

There was for some a feeling akin to being floated on the stock exchange. Suits, smart cars and higher salaries appeared swiftly, and for bold spirits this was a time of pumping adrenalin as the sector found itself in pole position as the preferred developer of social housing.

The new regime created divisions within the National Federation of Housing Associations (NFHA) with a faction enthusiastic about the new opportunities, indeed some associations had pioneered private finance use before the 1988 Act and lobbied government for greater freedoms to tap private sector resources. Others were concerned that higher rents would be unaffordable to tenants. Housing associations started to be labelled as organisations with a ‘social heart’ but a ‘business mind’ (Guardian, 2013). At the time the ‘social heart’ prevailed over the ‘business mind’ and, although rejected by the government, the National Federation of Housing Associations campaigned for special housing association tenure with a tenant right to an ‘affordable’ rent.

However, over time the business mind gained ascendancy. New development at social rents and low-cost homeownership became the exclusive domain of housing associations and the Conservatives encouraged stock transfer from local government to housing associations. Associations became larger and the smaller associations found it difficult to compete for development grants. The story of Black and Minority Ethnic (BME) housing associations illustrates the impact of the 1988 Housing Act. Diversity has been an important justification of housing associations: as housing's 'third arm', they could meet special needs and involve, as decision makers, people who may not be represented as elected local authority councillors. In the early 1980s, reports from academics and the Commission for Racial Equality highlighted racial discrimination in housing suppliers' activities, there were local anti-racist campaigns for improved access to housing and riots in 1981 and 1985. In this context, the Housing Corporation launched its Black and Minority Ethnic (BME) housing Policy, directed to promoting BME associations to meet the housing requirements of minority communities, lever resources into disadvantaged neighbourhoods and encourage black leadership. The Black and Minority Ethnic Housing Policy and subsequent initiatives helped to generate over 60 BME housing associations providing a good example of how housing's 'third arm' can demonstrate independence and innovation. The Housing Association halo received a polish. However, the 1988 Housing Act required associations involved in development to have a secure asset base. Most ethnic minority associations, being relatively new, did not possess properties built at low cost to use as security on loans and therefore were at a disadvantage in the development process. The Housing Corporation encouraged ethnic minority associations to form partnerships with larger associations. BME National and Human Institute Project (2014 p 3) commented:

Some BME housing associations have thrived within group structures by taking advantage of the economies of scale offered shared services and have realised internal transfer of housing.... Other BME housing associations were less fortunate in their choice of group and were subsequently wound down, their housing assimilated.

#### *New Labour and 'social entrepreneurs'*

New Labour was lukewarm on local government as a service provider, indeed, part of New Labour's identity was fashioned in response to the alleged 'excesses' when the 'new urban left' and Militant Tendency — labelled the 'loony left' in some newspapers — controlled some local councils in the 1980s. Blair announced:

The days of the all-purpose local authority that planned and delivered everything are gone. They are finished. Local authorities will still deliver some services but their distinctive leadership role will be to weave and knit together the contribution of the various local stakeholders.

(Blair, 1998, p 13)

Housing associations were a ready replacement for local government and thus, in the housing association domain, power transfer from the Conservatives to New Labour was seamless. New Labour's 1997 manifesto (Labour Party, 1997) declared, 'We support a three-way partnership between the public, private and housing association sectors to promote good social housing' but, with regard to new-build, the 'partnership' meant local authorities enabling housing associations.

The 2000 Green Paper *Quality and Choice: a Decent Home for All* (Department of the Environment, Transport and the Regions, 2000) stated that New Labour desired:

a progressive shift in ownership so that the stock is more widely owned by a range of different organisations, including housing associations, local housing companies and tenant-led organisations, with tenants benefiting from a greater choice of housing providers and local authorities focusing more on their strategic housing responsibilities....

(DETR, 2000, p 17)

In 2002, Blair announced:

Our vision is bold....we can open up the possibility of entrepreneurial organisations — highly responsive to customers and with the freedom of the private sector — but which are driven by a commitment to public benefit rather than purely maximising profits to shareholders.

(Blair, 2002)

Blair's approach embraced housing's 'Third Arm' with 'hybrid' housing associations neatly fitting into New Labour's 'Third Way' rhetoric. Housing associations were quick to emphasise their 'social' credentials through the 'Housing Plus' notion described by Housing Plus Academy (2019) as 'about the wider actions of social landlords in low-income communities beyond simply renting homes' (shades of Octavia Hill?) with its emphasis on social and human capital New Labour promoted stock transfer through a number of stratagems. A 'decent home' standard was set with stock transfer as a mechanism for achieving the benchmark and debt write-off and capital grants were offered in areas where the stock was in poor condition. New Labour announced that all 'social' sector rents would be set by common formula hence eliminating the possibility that local government, with its lower historic costs, might set lower rents.

Despite New Labour's rhetoric on housing associations as 'social entrepreneurs', the finance made available for new build diminished as New Labour's concentrated resources on improving the existing 'social' housing stock. New build output dropped in England from 22,629 in 1996 to 15,590 in 2003. Housing associations fared better in subsequent New Labour spending reviews but new-build

and, by 2008, new housing completions by housing associations had reached 24,150. As under John Major's government in the early 1990s, New Labour used housing associations to try to stabilise the construction industry in the post 2008 recession, boosting resources to generate new build. By 2010 associations owned 2,180,000 homes, 9.5% of the stock in England.

With resources scarce, housing association agglomeration gathered pace via mergers and by 2012 49% of the stock was owned by housing associations with more than 10,000 houses (Lupton and Mc Roberts, 2014). Such agglomeration has continued with, in 2018, 50 % of the stock owned by housing associations with 10,000-50,000 houses and a further 13% owned by associations owned by housing associations with more than 50,000 homes.

As the housing stock has become concentrated into larger owners, the 'business mind' has become yet more dominant. In 2016/7 Chief Executive basic pay, bonuses and car allowance averaged £166,205 topped by David Cowans of *People and Places* at £579,183. However, Chief Executive salary per house managed varied from £3 to £43. In an article setting out Chief Executive pay levels, Simon Brandon (2017) comments:

A recruitment consultant, who does not wish to be named, says: "People tend to focus on the David Montagues and David Cowanses, but these are people running very substantial organisations and of course they get fairly high salaries – if you are running an organisation of that size then there's a logic there. It's the organisations in the middle bracket, medium to large, who are paid quite similar sums for running something a quarter of the size. They are the interesting ones... there are a number of people being paid far more than can reasonably be justified.

Moreover, more and more Board members receive payments that amounted to £8.6 million in 2017. The limit on non-executive pay of £50 was lifted in 2002 and 89% of non-executive board members are now paid. The average Chair pay varies from £17,000 in the South West to £21,000 in the East Midlands and reaches an average of £26,000 for associations with 35,000 plus housing units. Non-executive board members (about 10 per association) varies from £6,500 (South West) to £8,500 (Greater London) reaching £9568 for associations with 35,000 plus housing units (Campbell Tickell, 2018).

### **The halo fades (3) 'affordable' rents**

Under New Labour social rents were usually increased by 0.5% above inflation as part of a complicated process of gradually aligning housing association and local authority rents according to a common formula. The Coalition government boosted the annual increase to the RPI + 0.5% + up to £2 per week, considerably increasing housing association resources but reducing tenants' incomes.

Between 2009/10 and 2015/16 mean housing association house rents increased by 38.6% after HB (MHCLG, 2019).

In 2015 Chancellor George Osborne announced that rents in social housing would be reduced by 1% a year for four years resulting in a 12% reduction in average rents by 2020-21, perhaps to reduce Housing Benefit expenditure and force associations to comply with other government policies such as converting social rents to 'affordable' rents and selling their stock. However, from 2020/1 rents are scheduled to increase by 1% above inflation.

The 2010 Spending Review announced that £4.5 billion would be made available to fund new affordable homes over the Review period — a reduction in funding from £8.4 billion in the previous Spending Review (Wilson, 2019). New social housing would be let at 'affordable' rents — up to 80% of market level — rather than at 'social' rents — about 50% of the market rate — and, on vacant possession, social housing providers were expected to let a proportion of their existing stock at 'affordable' rents (see below).

Although there were expectations that housing associations might use their assets to continue to build at social rents, most associations with new development programmes embraced 'affordable' rents. By 2017/8 about 57% of all new social sector homes built were for 'affordable rent with only 14% at social rent. The rest were mainly for shared ownership properties and affordable home ownership schemes. Not all affordable rents are 80% of the market price but in 2017 Affordable Rents for typical two-bed properties were 30% more expensive than social rents. On average this was £1,400 per year but there were ten London boroughs where the difference was over £5,000 (Joseph Rowntree Foundation, 2018).

Housing associations are also building for sale or for rent at market prices. In 2017/8 housing associations built 6526 homes for market sale compared to 4173 for social rent and 1529 for rent at market price out of a total of 43572 (National Housing Federation, 2018).

The movement of housing associations into affordable rents, building for market sales and selling their existing stock has produced accusations that they have become profit seeking organisations, far from their heritage of providing accommodation for the poor. For example, in *A Better Deal for Nation Rent*, Elphicke and Mercer (2014) revealed that housing association 'profits' had increased from £203 million in 2009 to £1.93 billion in 2013. They claimed that these profits had been diverted to new commercial activities rather than to additional 'social' homes. The housing association response has been that they are not-for-profit organisations and that any surplus made from market activities will be invested in social housing. Unfortunately, there is little evidence that this is happening and the suspicion remains that payments made to the management hierarchy and their non-executive Board

members means that some associations may be content to become more like private landlords than social housing providers (Wiles, 2018: Crook and Kemp, 2018).

#### The halo dims (4) The Right to Buy

The 2015 Conservative Party manifesto's flagship housing proposal was to extend the council tenants' Right to Buy to housing association tenants — an idea put forward by Davis and Field (2012) and the Policy Exchange (2014). To some, despite a compensation offer, funded by forcing local authorities to sell their higher value property, this was the decisive test of housing association independence with the possibility that, as in 1980, the House of Lords would veto the measure.

At first housing association resistance to the proposed Right to Buy was strong but Osborne and Cameron started to soften up the opposition. Media stories appeared lamenting housing associations poor performance in supplying houses and commenting on Chief Executive pay. Osborne dismissed the housing association house-building record as 'not particularly impressive ... four out of five housing associations built no properties last year, so I wouldn't say they are proving to be the dynamic source of new housing in the country at the moment'(quoted in Brown, 2015a).

In response to a parliamentary question, David Cameron said:

I think it's vital though that we reform housing associations and make sure that they are more efficient. Frankly they are a part of the public sector that hasn't been through efficiencies, haven't improved their performance and I think it's about time that they did.

(Quoted in *Independent*, 2015)

In September 2015, Greg Clark, Secretary of State for the Department of Communities and Local Government outlined two views on the future of housing associations. The 'bad cop' narrative was:

I'll be completely candid, there are some who say that to achieve the transformation we need requires a fresh start – that the housing association sector has taken us so far but might not be the right partner for the future....That a once insurgent movement has become staid – with development too low and executive salaries too high. That for the transformation in housing we seek we should look elsewhere. To councils through the devolution agenda, to private developers, to our own agencies in government and to new entities.

(Clark, 2015, p 2)



The 'good cop' version was:

This is a sector that has scored big successes over many years. That can be agile and adaptable to the changing opportunities and requirements of our nation. A sector that has always been respectful of the mandate that successive governments have had.... A view that this is a sector which is a standing army of expertise, motivation and experience, capable of building hundreds of thousands of new homes that our country so desperately needs.

(Clark, 2015, p 2)

Clark indicated that he was a 'good cop', claiming that a voluntary agreement by housing associations with the government to sell homes at discounts available to council house tenants would promote cordial government-housing association relationships. A large majority of housing associations voted for a voluntary agreement settlement but although the largest associations all voted to accept the agreement, only 55% of National Housing Federation members voted 'yes' and 39% did not vote. Housing associations' gains were the possible avoidance of a naked threat to their existence. The Conservative government had backtracked on the *legal* Right to Buy, promised in the 2015 manifesto, but avoided a possible defeat in the and gained the chance to manage 'Right to Buy' implementation in line with the resources raised from selling high-value council houses. In the event, Theresa May's government put the Right to Buy on the backburner and housing association resistance, although somewhat lukewarm, helped to bury the scheme adding a little lustre to the halo.

The Right to Buy was very bad idea, loosing scarce social housing via sales to tenants and forcing local authorities to sell their stock thereby promoting acquisition opportunities for private landlords. An investigation by *Inside Housing* in 2015 discovered that private landlords now owned 40% of all council flats sold under RTB in England and a Local Housing Allowance mapping exercise in parts of Scotland suggested that around 40% of payments are made to privately renting tenants in houses bought under RTB (Sprigings, 2013) Rents rocket when local authority housing is sold to private landlords.

### **The halo falls (5) Stigmatisation and 'Poor doors'**

The Conservatives in the Coalition and Cameron's 2015 to 2016 government were hostile to social tenants. In 2015, George Osborne asserted 'social housing is subsidised because the price of private rental stock is the real price, reached by the logic of the market' (quoted in the Guardian, 2015) and David Cameron, highlighting 'lack opportunity, poor parenting, addiction and mental health problems', stated:

There's one issue that brings together many of these social problems – and for me, epitomises both the scale of the challenge we face and the nature of state failure over decades. It's our housing estates.

(Cameron, 2016)

Unfortunately, a few housing associations adopted this negative attitude. Yarlington Housing Group, managing 9,000 homes, introduced 'Household Ambition Plans'. As 'ambitions' tenants would be expected to achieve were 'skills and qualifications so that you stand a better chance of finding the type of job you want', 'skills for life', including 'cooking, gardening or DIY', and 'thinking about what you eat, how much exercise you take and other things that affect your health, wellbeing and fitness' (Yarlington Housing Group, quoted in Johnson, 2013). Progress in meeting such ambitions would be taken into account in tenancy renewal decisions.

The designate Deputy Chief Executive of a proposed new housing — published *Knuckle Down*, where she stated:

We have been responsible and are partly to blame for the dependency culture we have created but in future we will be asking our residents to take more personal responsibility in respecting their homes and making an effort to help themselves.

(Bailey, 2016)

In addition there is the 'poor doors' scandal. Under Section 106 of the Town and Country Planning Act, a person with an interest in land can enter into a planning obligation to supply a proportion of affordable accommodation on a site. One idea behind this clause was to create 'mixed communities'. However, there has been segregation in some developments with, for example, private owners having their own courtyard and gated front entrance on to the main street while less well-off tenants in the 'social' flats having to use a side entrance at the end of a public alley (Guardian, 2018) Echoes of the infamous Cutteslowe Walls (Collison, 1963)? Even worse, in some developments there have been segregated play areas for children (I News (2019)). Housing associations provide in these developments — why have they permitted such shocking discrimination?

### **Restoring the halo**

As Greg Clarke reminded them, housing associations are dispensable and elements in the Labour Party have been critical of housing association activity. Jeremy Corbyn, in his housing manifesto for the 2015 Labour Party leadership election, said:

There is a problem with housing associations. Initially set up to provide decent homes for people in need, many are developing into businesses that sell or rent at market levels. We need more democracy and accountability, and a return to their original purpose. (Corbyn, 2015)

There has been a long standing divide between the smaller, locally based associations and the larger nation associations involved in most of the new development and some associations are attempting to focus attention on their traditional concerns, resisting 'affordable' rents and giving higher priority to homeless people. In 2017/8 21% of housing association general needs lettings were made to homeless households — down from 26% in 2007/8 (Stephens et al, 2019) and a group of housing associations formed *Homes for Cathy* in 2016 to redirect allocations to homeless households. However the 'commercial ethos' and associated neglect of need extends beyond allocations to homeless people. An investigation by the Faye Greaves of the Chartered Institute of Housing (2019) revealed widespread 'screening out' by housing associations and local authorities of potential tenants because of the likelihood they would accumulate rent arrears, they would be hit by the bedroom tax or they were a financial risk due to the Benefit Cap.

In order to restore the housing association halo a number of steps are necessary.

- Careful monitoring of the pay levels of the Executive hierarchy, not just Chief Executives' remuneration. The Social Housing Regulator needs to relate pay levels to performance.
- Making housing associations subject to the 2000 Freedom of Information Act.
- Appointing more tenants and local authority representatives on Housing Association Boards.
- Greater use of Direct Labour to build homes: using private sector builders does not add to new-build capacity.
- Promoting the improvement of older property – as Octavia Hill once pointed out this is much cheaper than new build.

Perhaps the housing association angels have fallen so far from grace that more radical policies are necessary. These might include:

- Refocusing social housing provision on local government with stock transfer *from* Housing Associations to boost supply where local authority homes have been sold or transferred on a large-scale.
- Paying Housing Benefit (HB) on mortgage interest to low-income households to enable them to become homeowners. In 2018 the average HB paid to housing association tenants was £97.87 and HB entitlements stop at £647 per week for a couple with two children under 19

with a rent of £140 per week (£443 with a rent of £100) [Stephens et al, 2019]. Surely, with these levels of payment, more households could become homeowners?

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