

## COMMUNITY AND ENTERPRISE OVERVIEW AND SCRUTINY COMMITTEE

<b>Date of Meeting</b>	Wednesday, 4 <sup>th</sup> November 2015
<b>Report Subject</b>	Framework for the Implementation of Local Lettings Policies
<b>Report Author</b>	Chief Officer, Community and Enterprise

### EXECUTIVE SUMMARY

The report presents an overview of the framework for the implementation of local lettings policies (Appendix 1) by setting out the approach and procedure that could be adopted by the Council, to respond and address local housing issues. This would help to create sustainable, vibrant and healthy neighbourhoods and communities where people want and aspire to live. It also recognises the importance of balancing the needs of new tenants and the interests of existing tenants to create mixed and sustainable neighbourhoods.

A local letting policy would be applied in either a defined geographical area or on a new build development, for a percentage of the lettings made e.g. 50% or 75% of lettings made via the policy.

The framework gives consideration to good practice and the relevant legal and legislative requirements and guidance by setting out a clear aim and objectives, evidence required, consultation, approval process and the need to monitor and review the effectiveness and outcomes achieved.

### RECOMMENDATIONS

1	Committee approve the proposed framework for the implementation of local lettings policies (Appendix 1).
2	Delegated authority is granted to the Chief Operating Officer, Community & Enterprise and Senior Manager, Council Housing in consultation with the Cabinet Member for Housing to implement the framework for local lettings policies, for new developments in response to identified need and evidence.
3	An annual report is produced for Committee to monitor and review the overall effectiveness and outcomes of any local lettings policies that have been implemented. The annual report would be presented to Committee 12 months after the implementation of the first local lettings policy.

## REPORT DETAILS

<b>1.00</b>	<b>EXPLAINING THE FRAMEWORK FOR THE IMPLEMENTATION OF LOCAL LETTINGS POLICIES</b>
1.01	<p>The law on the allocation of housing is governed by Part 6 of the Housing Act 1996, which sets out that a Local Authority must have an allocations scheme in place for determining priorities and procedures, in relation to the allocation of housing and that allocations must be made in line with this. Under section 167 (2), reasonable preference must be given to certain categories such as persons who are homeless, overcrowded or occupying insanitary accommodation.</p>
1.02	<p>Within both the Housing Act 1996 and the code of guidance to local authorities on the allocation of accommodation and homelessness 2015, provision has been made that enables Local Authorities to allocate accommodation to people of a particular description, regardless of whether they fall within the reasonable preference categories provided that overall compliance with section 167 can be demonstrated. This means that a Local Authority can have local lettings policies provided they do not dominate the allocations scheme and that there are clear links to community sustainability, supported by evidence, with procedures that inform strategic priorities and are regularly reviewed and monitored for effectiveness.</p>
1.03	<p>The common allocations policy recognises that partners may wish to implement initiatives to help tackle local housing issues through the use of local lettings policies. Examples of local housing issues which may require the development of a local lettings policy are:</p> <ul style="list-style-type: none"><li>• Concentrations of deprivation</li><li>• Large new developments where it is felt that a new community needs to be established</li><li>• Rewarding positive behaviour by supporting transfers for existing tenants even when they do not have reasonable preference</li><li>• Supporting tenant employment opportunities through job related moves and those people who are making a positive contribution to a particular area in an economic or voluntary capacity</li><li>• The needs and sustainability of rural communities e.g. where affordability of housing is an issue</li><li>• Under-occupation and/ or overcrowding</li><li>• Some properties, usually in defined locations, can only be let subject to additional occupational criteria as they are subject to a Planning Obligation under Section 106 of the Town and Country Planning Act 1990.</li><li>• Regeneration areas</li></ul>
1.04	<p>A proposed framework for implementing local letting policies (Appendix 1) has been developed and gives consideration to the relevant guidance and common allocations policy. This will support the Council to adopt sustainable solutions to help improve people's lives, respond to local housing issues and create safe, healthy and vibrant neighbourhoods</p>

	where people want and aspire to live, whilst recognising the importance of balancing the needs of new tenants and the interests of existing tenants to create mixed and sustainable neighbourhoods.
1.05	The proposed framework for implementing local lettings policies sets out the approach and procedure that would be taken by the Council, when considering whether to implement a local lettings policy. This policy could be applied in either a defined geographical area or on a new build development.
1.06	<p>In line with good practice and the relevant guidance, the framework sets out the overall aim for implementing local lettings policies <i>‘to respond and address local housing issues, helping to create sustainable, vibrant and healthy neighbourhoods and communities where people want and aspire to live’</i>, with the objective:</p> <ul style="list-style-type: none"> <li>• To help tackle identified areas of low demand helping to ensure we maximise the investment in our existing homes</li> <li>• To maintain the long term sustainability of established and new areas creating vibrant, healthy and great places to live</li> <li>• To help support and encourage balanced and cohesive communities where people choose to live</li> <li>• To improve community safety by addressing and preventing issues of Anti-Social Behaviour (ASB) and harassment</li> <li>• To protect both the interests of local residents and our homes by seeking to prevent or reverse social decline and deprivation</li> </ul> <p>The degree and extent to which these objectives are applied will vary between each local letting policy, in recognition of the different local housing issues and the sustainability of the community.</p>
1.07	The proposed framework outlines the evidence required to demonstrate the need for a local lettings policy. This includes a decision making process to ensure that there is an approval process in place for each scheme where a local lettings policy will be applied, an agreed time period, consultation, monitoring and review arrangements, to assess the overall effectiveness of any local lettings policy. It also provides a procedure and process map to be followed to ensure compliance with the framework.
1.08	The evidence and objectives of the local lettings policy would then be used to inform the criteria which may include for example, rewarding positive behavior by supporting transfers to existing tenants and people who are accessing local job opportunities including voluntary and community work.
1.09	In line with good practice, the decision to implement a local lettings policy should only be considered for a percentage of the lettings made in either a defined geographical area or new build development e.g. 50% or 75% of lettings made via the policy and agreed at the outset.
1.10	Whilst there is no specific guidance specifying the time period a local letting policy can be in place, good practice recommends agreeing a limited time period for the use of a local letting policy from the outset based on supporting evidence. This would then be monitored and subject to

	review on an annual basis to assess the overall effectiveness and outcomes achieved. A review of good practice examples, show a variety of time periods are adopted based on local evidence, all of which are subject to an annual review. There are some cases, such as an age restriction scheme e.g. over 55 years of age, which may not be time limited as once approved, they would remain the same.
1.11	Legal advice has been sought and considered in the development of the proposed framework.
1.12	Consideration should be given for adopting the proposed framework for implementing local letting policies for the new council housing being provided through the Strategic Housing and Regeneration Programme (SHARP), which will see 500 new Council and affordable housing being developed across the county. This could help respond to local housing issues, improve the quality of people's lives and the sustainability of the community.
1.13	<b><u>Next Steps</u></b> Subject to the approval of the framework for implementing local lettings policies, it is proposed that the Council considers the need to implement local lettings policies for some of the new developments, by starting the process of gathering the evidence to demonstrate whether or not there is a specific need for a local letting policy.
1.14	This would initially be carried out for Flint Walks, the first new development due to be completed in April 2016 and would follow the procedure outlined in the framework. This includes consultation with local Elected Members, residents groups and any other Housing Associations operating in the area. An equality impact assessment would also be undertaken. A report for approval would then be made outlining the evidence and recommendations including any lettings criteria linked to the overall framework objectives. This would also include the initial time period for use, subject to annual review and the percentage of lettings to be made via the policy.

<b>2.00</b>	<b>RESOURCE IMPLICATIONS</b>
2.01	Whilst there are no financial implications associated with this report, there will be staff resources required to undertake the evidence gathering and consultation process outlined within the framework. This will be contained within the existing staff resources for Council Housing Services.

<b>3.00</b>	<b>CONSULTATIONS REQUIRED / CARRIED OUT</b>
3.01	Consultation will be carried out in line with the framework and the process for approval to implement a local lettings policy. This will include consultation with local Elected Members, residents groups and other Housing Associations.

3.02	An annual report will be produced for Committee to monitor and review the overall effectiveness and outcomes of any local lettings policies that have been implemented. It is envisaged that the first annual report will be presented to Committee 12 months after the implementation of the first local lettings policy.
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<b>4.00</b>	<b>RISK MANAGEMENT</b>
4.01	<p>The framework for the implementation of local lettings policies aims to manage key risks relating to equality and access, neighbourhood and community sustainability by:</p> <ul style="list-style-type: none"> <li>• Setting out when adjustments will be made to the main Common Allocations Policy to meet specific local housing issues</li> <li>• Comply with current legislation and good practice</li> <li>• Develop a consistent and sustainable approach to neighbourhood management</li> <li>• Contribute to sustainable, diverse and balanced communities</li> </ul>

<b>5.00</b>	<b>APPENDICES</b>
5.01	Appendix 1: Framework for the Implementation of Local Lettings Policies

<b>6.00</b>	<b>LIST OF ACCESSIBLE BACKGROUND DOCUMENTS</b>
6.01	<p>None.</p> <p><b>Contact Officer:</b> Jacqueline Perry, Housing Manager  <b>Telephone:</b> 01352 701640  <b>E-mail:</b> <a href="mailto:Jacqueline.perry@flintshire.gov.uk">Jacqueline.perry@flintshire.gov.uk</a></p>

<b>7.00</b>	<b>GLOSSARY OF TERMS</b>
7.01	<p><b>Local Lettings Policy:</b> An area specific policy used in response to specific local housing circumstances, by allowing flexibility within the allocations process to include additional criteria to be considered when letting properties within that area.</p> <p><b>Common Allocations Policy:</b> A single access route to housing developed in partnership with social landlords in a specific local authority area, to deliver a uniform assessment of housing need, providing fairness and consistency to customers. People in our communities are prioritised according to their housing need and in line with legal requirements.</p> <p><b>Sustainable Communities:</b> Places where people want to live and work, now and in the future. They meet the diverse needs of existing and future residents, are sensitive to their environment and contribute to a high quality of life. They are safe, inclusive, well planned and offer equality of opportunity and good service for all.</p>