

North East Derbyshire District Council

Cabinet

14 February 2018

Local Lettings Policy for Brailsford Park Affordable Rental Housing, Wingerworth

Report of Councillor E A Hill, Portfolio Holder with Responsibility for Housing Strategy and Social Inclusion

This report is public

Purpose of the Report

- For Cabinet to consider a Local Lettings Policy for Brailsford Park, Wingerworth.

1 Report Details

- 1.1 The Council working in partnership with Rykneld Homes have purchased 31 new homes at Brailsford Park, Wingerworth. Within the scheme there are 13 units for shared ownership and 18 homes for rent. The first homes have reached the practical completion stage and will be available for occupation in shortly.
- 1.2 Where a number of new homes become available in a short space of time, the Council working with Rykneld have implemented a local lettings policy to cover a specific new build site, (previous examples include Eckington and North Wingfield).
- 1.3 The policy takes account of the local circumstances of the site and provides a priority system for those applicants living in the Wingerworth area.

2 Conclusions and Reasons for Recommendation

- 2.1 The Policy aims to create a thriving and sustainable community from the outset and maintain existing community cohesion where at all possible.
- 2.2 The Policy was created in response to a new build scheme, which will result in a significant number of lettings occurring over a short duration. This requires appropriate consideration to the mix of the new community, the sustainability of tenancies, and that housing needs in the immediate locality of the development site and Wingerworth as a whole.
- 2.3 The Local Lettings Policy is designed to ensure that the new community thrives, and the existing community are adequately housed. The policy sets out a mechanism to evaluate the ability of households to sustain a tenancy and make a positive contribution to the new community.

3 Consultation and Equality Impact

- 3.1 An Equality Impact Assessment is completed for all new Local Lettings Policies and has shown there will be no adverse impact for applications received from those with any kind of protected characteristic.

4 Alternative Options and Reasons for Rejection

- 4.1 An alternative would be to put all applications for the available properties at Brailsford Park through the NEDDC Allocations Policy only. This has been rejected as it would not take account of the impact of the number of lettings that will occur in a short period of time.

5 Implications

5.1 Finance and Risk Implications

- 5.1.1 There are no financial implications to consider as part of this report.

5.2 Legal Implications including Data Protection

- 5.2.1 Section 166A(6)(b) of the Housing Act 1996 enables housing authorities to allocate particular accommodation to people of a particular description, whether or not they fall within the reasonable preference categories, provided that overall the authority is able to demonstrate compliance with the requirements of S. 166A(3) '*to give overall priority for an allocation to people in the reasonable preference categories*'.
- 5.2.2 This is the statutory basis for Local Lettings Policies which may be used to achieve a wide variety of housing management and policy objectives as covered in section 2 above.

5.3 Human Resources Implications

- 5.3.1 The Local Lettings Policy will be implemented and delivered through the existing Allocations Team at Rykneld Homes. There are therefore no human resource implications to consider as part of this report.

6 Recommendations

- 6.1 To approve the implementation of the Brailsford Park, Wingerworth, Local lettings Policy.

7 Decision Information

<p>Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: BDC: Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/> NEDDC: Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/> <input checked="" type="checkbox"/> Please indicate which threshold applies</p>	No
<p>Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)</p>	No
<p>District Wards Affected</p>	Wingerworth
<p>Links to Corporate Plan priorities or Policy Framework</p>	All

8 Document Information

Appendix No	Title
1	Local Lettings Policy – Brailsford Park, Wingerworth
<p>Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)</p>	
N/A	
Report Author	Contact Number
Heather Summers, Head of Neighbourhoods	01246 217 386

Appendix 1

LOCAL LETTINGS POLICY FOR NEW BUILD DEVELOPMENT

Scheme	Brailsford Park, Wingerworth, Chesterfield
Landlord	Rykneld Homes Limited
Implementation date	February 2018
Authority	<p>Section 166A(6)(b) of the Housing Act 1996 enables housing authorities to allocate particular accommodation to people of a particular description, whether or not they fall within the reasonable preference categories, provided that overall the authority is able to demonstrate compliance with the requirements of S.166A(3) <i>'to give overall priority for an allocation to people in the reasonable preference categories'</i>.</p> <p>This is the statutory basis for 'local lettings policies', which may be used to achieve a wide variety of housing management and policy objectives.</p>
Properties covered by the Local Lettings Policy	<p>The development will provide a total of 18 properties comprising:</p> <p>X4 Ground Floor 1 Bedroom Maisonette</p> <p>X4 First Floor 1 Bedroom Maisonette</p> <p>X7 Houses 2 Bedroom</p> <p>1X House 3 Bedroom</p> <p>2x Bungalows 2 bedroom</p> <p>This Local Lettings Policy details the method of allocation of rented units made available to applicants through Choice Based Lettings; or direct match as set out below.</p>
Purpose of this Local Lettings Policy	<p>The policy aims to create a thriving and sustainable community from the outset and at successive lettings. The Policy was created in response to a new build scheme, which will result in a significant number of lettings occurring over a short duration. This requires appropriate consideration to the mix of the new community, the sustainability of tenancies, and that housing needs in Wingerworth and the local area are addressed as a priority.</p> <p>The Local Lettings Policy is designed to create mixed communities and promote community cohesion. In response to local housing needs the policy can help to address 'rural flight' by enabling local workers to stay in the area. To ensure that the new community thrives, the policy sets out a mechanism to evaluate the ability of households to sustain a tenancy and make a positive contribution to the new community.</p>

<p>Risks</p>	<p>As compared to allocations from normal turnover in an area, a new build scheme represents a higher risk to sustainability. Due to the concentration of new households introduced to the community over a short period.</p> <p>To ensure the long term viability of the scheme it is necessary to create a community that is balanced in terms of risk by evaluating potential households:</p> <ul style="list-style-type: none"> • Vulnerability and ability to access support. • Affordability. • Evidence of acting in a '<i>tenant like manner</i>' in their upkeep of the property • Evidence to support good conduct of their current and/or past tenancies. • Best use of housing stock. • Links to the local area that offer a support network to encourage lower turnover on the scheme.
<p>Marketing of the Development</p>	<p>Properties will be advertised on Choice Move.</p> <p>Properties will be allocated to households in accordance with the allocations policy and this Local Lettings Policy.</p> <p>Applicants via the Choice Based Lettings system will undergo a first stage assessment of priority/eligibility based on the Allocations Policy. They will also be advised of the requirement to undergo a second stage selection process based on the criteria set out in this Local Lettings Policy.</p>
<p>Allocations criteria</p>	<p>The following mix will be used as far as is practicable to encourage a balanced community on first lettings only.</p> <ul style="list-style-type: none"> • 50 per cent of first lettings to maisonettes and houses will give preference to households in employment. • 50 per cent of first lettings to maisonettes and houses will give preference to households where the main applicant is over 25 years of age. • A ratio of 50:50 will be applied to single tenant and joint tenant households in houses. • All allocations will be required to meet the eligibility criteria for the size of property to discourage under-occupation of dwellings and make best use of housing stock. • Applicants with pets will be considered on an individual basis and no more than 25 per cent of applicants for maisonettes and houses will currently have pets • Households will be assessed for compliance against the local connection criteria as set out below. • Properties may be refused to households with a history of anti-social behaviour or poor conduct of a previous tenancy. • Properties may be refused to households with a history of rent arrears. • Properties may be refused to households that are unable to demonstrate affordability in respect of the rent and other charges. • Properties may be refused to households that do not agree to an appropriate support plan or where a support plan is not feasible. • Properties may be refused to households that cannot demonstrate ability to act in a '<i>tenant like manner</i>' in terms of upkeep of the property.

<p>Local connection</p>	<p>All applicants must first demonstrate recognised housing need in accordance with the Allocations Policy. The local connection criteria will operate on a tiered basis of priority as follows:</p> <ol style="list-style-type: none"> 1. Applicant has lived in Wingerworth for at least 2 out of the previous 5 years. 2. The applicant has a member of their immediate family living in Wingerworth (mother, father, child) who has lived there for at least 5 out of the previous 10 years. 3. The applicant has been employed for more than six months out of the last year in a contract for at least 16 hours per week in Wingerworth or connecting areas and the employment is permanent. 4. The applicant has an essential need to live in Wingerworth to provide essential care to a resident who has lived in Wingerworth for more than 5 out of the previous 10 years. (Evidence must be provided to confirm that the applicant is the main carer e.g. care related welfare benefit). 5. The applicant has been a volunteer for at least six months with a local community group that provides community benefit in Wingerworth or connecting area. 6. The applicant has lived in Wingerworth previously for a period of more than 5 years out of the last 10 years. 7. No local connection to Wingerworth but evidence of a connection to the administrative area of North East Derbyshire District Council with priority based on the tiers set out above. 8. No local connection but a connection to an area immediately abutting the administrative area of North East Derbyshire District Council. 9. No local connection.
<p>Age restrictions</p>	<p>Bungalows are intended for use by elderly households and will be subject to an age restriction that prohibits allocation to candidates under 60 years of age or with a proven medical need for this type of accommodation as par the Allocations Policy.</p> <p>With respect of the age restrictions on houses, 50 per cent of maisonettes and houses will be allocated to applicants over 25 years of age on first let.</p> <p>In the event that candidates over 25 years of age cannot be identified the following descending priority will apply:</p> <ul style="list-style-type: none"> • 22 – 24 years • 20 – 22 years • 18 – 20 years
<p>Compliance with the policy</p>	<p>To limit the detrimental impact of long term vacant properties, in the event that insufficient bids are received from applicants meeting the criteria, Rykneld Homes Limited reserves the right to direct match properties in order to maintain a sustainable mix in the community.</p> <p>The Allocations Policy will be employed after three unsuccessful attempts to comply with the Local Lettings Policy for each vacant property.</p>
<p>Selection of shortlisted applicants</p>	<p>All applicants will be initially assessed using the Allocations Policy and each shortlisted applicant will then be subject to the selection procedure which may include:</p> <ul style="list-style-type: none"> • A personal interview with all candidates to ascertain their circumstances.

	<ul style="list-style-type: none"> • A verification visit to their current accommodation to confirm household circumstances and evaluate ability to act in a ‘tenant like manner’ in terms of upkeep of property and garden. • Checks on current and former tenant rent accounts where applicable. • Checks to confirm previous tenancy good conduct. • Checks with the Probation Service. • A risk assessment of vulnerability to evaluate feasibility of support plans to sustain the tenancy. • Consideration of impact of pets on the mix within the scheme. • Assessment against local connection criteria. • Credit checks and affordability evaluation using household income and expenditure. • Evaluation of risk in relation to uncontrolled debt. • Medical needs assessment in relation to special designed properties. <p>Successful applicants will be offered a tenancy appropriate to the intended use with a probation period to be successfully completed before security of tenure is conferred via a Secure or Assured tenancy.</p> <p>Households will be required to confirm agreement to provide regular access and participate in progress visits (with reasonable notice) with Rykneld officers to ensure ongoing sustainability of the tenancy.</p>
<p>Duration of the Local Lettings Policy</p>	<p>This Local Lettings Policy will apply to first lets only on practical completion of the scheme.</p> <p>If assessed as appropriate, Rykneld Homes may extend this Local Lettings Policy to the second lets.</p>
<p>Monitoring and Review</p>	<p>The policy will be reviewed once all the first lets have been completed and at regular intervals throughout the following to ensure that it remains appropriate to the scheme and assess if this policy is required to apply to second lets or not.</p>
<p>Equal opportunities</p>	<p>The Local Lettings Policy is required to comply with equality legislation and in particular, to ensure that there is no unlawful discrimination in the allocation of dwellings.</p>
<p>Refusal and appeal</p>	<p>The checks will be used to evaluate the sustainability of potential tenancies and of contribution to the overall mix of the scheme. The selection framework and checks employed may not be an automatic barrier to access. Where appropriate they will inform discussions with candidates in terms of their needs and vulnerability in order to explore suitable support plans.</p> <p>Applicants who are refused accommodation through the Local Lettings Policy will be advised of the reason in writing. If an applicant is not satisfied that the Local Lettings Policy has been administered correctly they must set out the reason in writing to request a review of the decision.</p> <p>The review will be handled in accordance with the Allocations Review process.</p>

Elected Members' Involvement in Allocation Decisions	<p>The Allocation of Housing (Procedure) Regulations 1997 (SI 1997/483) prevent an elected Member from being part of a decision-making body at the time an allocation decision is made, when either:</p> <ul style="list-style-type: none">• the accommodation concerned is situated in their division or electoral ward, or• the person subject to the decision has their sole or main residence there <p>The regulations do not prevent an elected Member from representing their constituents.</p> <p>The regulations do not prevent elected Members' involvement in policy decisions that affect the generality of housing accommodation in their division or electoral ward; for example, a decision that certain types of property should be prioritised for older people.</p>
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