

Local Lettings Policies: Policy and Procedures for Implementation and Review

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Contents

1	Local Lettings Policies.....	3
1.1	Background and purpose	3
1.2	Legal framework.....	3
1.3	What is a local lettings policy?.....	3
1.4	Reasons for a Local Lettings Policy.....	3
1.5	Potential Local Lettings Policy Criteria	4
1.6	Introducing new and reviewing existing LLPs.....	4
1.7	The Decision and Review of a Local Lettings Policy	5
1.8	Advertising properties in accordance with a Local Lettings Policy.....	5
1.9	Ensuring choice and fairness for applicants	5
1.10	Related policies and Procedures.....	5
2	Procedures for determining a local lettings policy for properties owned by Newcastle City Council.....	6
2.1	Stage One – Understanding the local, area and city context.....	6
2.2	Stage Two – Reaching and confirming a recommendation	7
2.3	Stage Three – Consulting with the community and interested stakeholders	7
2.4	Stage Four – Deciding on the proposal	8
2.5	Stage Five – Recording and Monitoring	8
3	Requests for local lettings policies by registered providers of housing (RP's)	9
4	Appendix 1	10
5	Appendix 2	11
6	Appendix 3.....	14

1 Local Lettings Policies

1.1 Background and purpose

The purpose of these procedures is to set out how Newcastle City Council (NCC) will manage local lettings policies (LLPs) effectively and consistently. This document is supplementary to NCC's Allocation and Lettings Policy. It explains how NCC will deal with new requests for local lettings policies, as well as how we will review existing local lettings policies. It is intended to be fair, easily understood and transparent, but does not offer a prescriptive outcome to the process.

1.2 Legal framework

Legislation provides for local lettings policies in accordance with Section 166A (6)(b) of the Housing Act 1996 as it enables housing authorities to allocate particular accommodation to people of a particular description, whether or not they fall within the statutory reasonable preference categories, provided that overall, the authority is able to demonstrate compliance with the requirements of the Act.

1.3 What is a local lettings policy?

A local lettings policy (LLP) allows local housing authorities, which includes NCC, to make an adjustment to the Allocations and Lettings Policy and to allocate particular properties to people of a particular description. An LLP may be applied to:

- a particular type of property, for example bungalows.
- properties in a specific location, for example an estate or a specified area or a block(s) of flats.
- specialist accommodation, for example supported accommodation for a particular client group such as customers with a learning disability or rough sleepers.

An LLP will set out specific criteria that customers must meet, in order to be made an allocation, regardless of any reasonable preference category that may apply to a customer.

In addition to the specific criteria set out in an LLP, other property criteria under NCC's Allocations and Lettings Policy may apply. If so, this will be detailed on the property advert. Applicants will only be considered for a property if they meet the advertised criteria.

1.4 Reasons for a Local Lettings Policy

Historically, in Newcastle local lettings policies have been used to set a maximum or minimum age restriction for particular properties which are detailed in the weekly advertising of properties.

Other than age restriction, local lettings policies can be used to:

1. Help meet unmet needs within a locality.
2. Help to target the best use of properties in higher demand areas.
3. Help to promote properties which are in low demand and help the regeneration of an area through different management arrangements.

4. Help to tackle homelessness.
5. Encourage greater community cohesion and sustainability.
6. Respond to housing management issues where problems of anti-social behaviour, nuisance or crime occur.

1.5 Potential Local Lettings Policy Criteria

The additional criteria for allocation introduced as part of the local lettings policy will depend on the reason for the implementation of the policy and the desired outcome. The Council will be able to evidence why the additional criteria will achieve the desired outcome. Additional criteria can include, but is not limited to:

- Age restrictions
- Family composition
- Employment type e.g., key worker
- Level of support needs
- Local connection to area
- Criminal convictions
- History of tenancy issues
- History of substance or alcohol abuse issues
- Exemption to the qualification requirement
- Exemption to any financial qualification criteria
- Assessed need for specialist accommodation or adaptations
- At risk of vulnerability, as a result of learning, mental or physical disability

1.6 Introducing new and reviewing existing LLPs

There are a number of circumstances or 'triggers' which can lead to the consideration of a new LLP and the review of an existing LLP. These include:

- Analysis of lettings, customer demand, customer profiling and other relevant feedback information undertaken by NCC, which indicates that there may be an emerging need to consider a new LLP or the removal or amendment to an existing LLP.
- A request from the housing management service in response to:
 - local circumstances and knowledge.
 - dialogue with existing or potential customers.
 - significant and well evidenced local management problems.
 - evidence of significant unmet demand.
 - evidence that an existing LLP is proving a barrier to housing particular customer groups.
- A request from local stakeholders, notably, local residents, tenants and residents' groups, other representative community organisations and elected ward councillors.
- the need to promote the overall regeneration of an area through the application or removal of an LLP.

- proposed new housing developments that require a local lettings policy to meet a particular need.
- the need to meet funding criteria for specific schemes.

There will be an agreed 'rolling review' of LLPs over a three-year cycle, with the exception of specialised accommodation such as extra care, sheltered housing and housing for people with a learning disability or autism. The review of an existing LLP will be completed by applying the same procedures for a new LLP as set out in this document. Upon the formal adoption of these procedures, we will stagger the review of existing LLPs over an initial three-year period or in accordance with one of the triggers detailed above. This review process will ensure that LLPs are still appropriate to the local housing context and the strategic objectives of Newcastle City Council.

In the event of one of the above circumstances or 'triggers', the procedures for determining a local lettings policy for properties owned by Newcastle City Council will be applied. The outcome of this process may result in the introduction of, a continuation of, an amendment to or the removal of an LLP.

1.7 The Decision and Review of a Local Lettings Policy

The decision to introduce, continue, amend or remove a local lettings policy will be made by the Director of Investment and Growth.

A local lettings policy can be implemented for between one year and five years. Annual reviews will be completed to monitor the effectiveness of the policy.

1.8 Advertising properties in accordance with a Local Lettings Policy

Properties that are subject to a local lettings policy will be advertised in the normal way through the Choice Based Lettings system, unless the LLP states otherwise for example Assisted Living properties which are allocated by a panel.

Where a local lettings policy is in place, the advert will be amended to clearly show that there is a policy in effect. The advert will specify what criteria is being applied.

1.9 Ensuring choice and fairness for applicants

It is acknowledged that by introducing local lettings policies, the choice for applicants is generally reduced. Therefore, the availability of alternative properties in each area will always be considered.

When developing an LLP consideration must be given to ensure that:

- An LLP is tailored to meet the specific objectives that have been identified.
- LLPs do not dominate the overall allocations scheme.
- Overall, the allocations scheme operates to give reasonable preference to those in the statutory reasonable preference categories over those who are not.

1.10 Related policies and Procedures

This policy should be read in conjunction with the:

- Allocations and Lettings Policy

2 Procedures for determining a local lettings policy for properties owned by Newcastle City Council

Set out below is the process by which local lettings policies will be decided. This stage by stage approach indicates what actions are needed and who is responsible for specific actions throughout the process. A flowchart which summarises the process and provides a quick overview is included at Appendix 1.

2.1 Stage One – Understanding the local, area and city context

Responsibility for dealing with a new request for a local lettings policy and dealing with reviews of existing policies will rest with the Lead Officer (LO). This will generally be the Housing Services Manager (HSM) for the area but may also be a service lead, for example Safe Living.

The first step in the process will be the completion of an LLP Designation Template (Appendix 2). Completion of the template will allow an informed decision to be made that seeks to balance the views and needs of local staff, local residents and other community stakeholders alongside the wider housing needs of the neighbourhood, area and city. It is intended to give as full a picture as possible and to help avoid unintended consequences

The template includes information relating to the properties and area within the boundaries of the local lettings policy proposal, as well as information relating to wider housing need including, where applicable:

- The number of properties affected and the property type(s).
- The proportion of the neighbourhood, area and city stock of properties of this type.
- The extent of similar existing designations at neighbourhood, area and city level.
- Information on the household and customer profile of existing residents and how it is anticipated this may change because of the proposal being made.
- Turnover information for the last full year that is available – including reasons for termination, frequency of termination, average length of tenancy and the percentage of the properties where a tenancy has been terminated.
- The level of demand measured through the average number of expressions of interest made for any empty properties advertised, the numbers of offers refused, and any significant reasons for those refusals.
- Details of specific problems that need to be addressed through the introduction of a new LLP, including incidents of anti-social behaviour, crime or vandalism and how these will be positively addressed through the introduction of an LLP.

Additionally, as well as information relating to housing need, it may be relevant to include wider information on the housing management context in which the proposal is being made:

- Details of partnership working with local stakeholders to address any issues of crime, nuisance or anti-social behaviour in the locality of the designation.
- Details of clearance and regeneration activity in the area, the potential for displacement of existing residents and tenants, and the likely impact this will have on demand for particular property types.
- Equality Impact assessments at local, area and city level. What difference will the proposal make in relation to enhancing or restricting opportunities for particular age

groups, and how will this be balanced across the neighbourhood, area and city to ensure that the proposal is balanced and fair?

- Relevant Information on the wider housing tenure mix - especially local RP properties.

It is advisable for all LLPs to include an exceptions policy to any proposed local lettings policy for example where there is urgent and immediate need for housing on health grounds and where that particular property type meets the recommendations made by the Housing Needs Assessment Team.

Information relating to housing demand and supply and the local lettings policy register is held by the FHU.

2.2 Stage Two – Reaching and confirming a recommendation

The completed template and supporting evidence as outlined in stage one, will be forwarded to FHU's Allocations and Lettings Officer (ALO) who will determine whether:

- a request for a new local lettings policy should be pursued.
- to proceed with a review of an existing local lettings policy.

The ALO will consider the information provided and may request additional information if required.

The ALO will advise the LO of their recommendation and reasons for the decision in writing.

If the LLP was requested by a third party the LO will be responsible for providing a written response to the third party in accordance with the ALO's recommendation. The response should detail the reasons for any refusal or in the case of approval details about what happens next.

If a decision has been agreed by FHU to proceed, Housing Services will need to carry out consultation with tenants and stakeholders. Consultation will take account of the likely impact on the local community.

2.3 Stage Three – Consulting with the community and interested stakeholders

If the ALO recommends a request for a new LLP or to review an existing LLP consultation with tenants and stakeholders will need to be undertaken. Consultation will take account of the likely impact on the local community. The LO will be nominated lead for any consultation.

As well as existing residents, the views of potential residents i.e., applicants who have previously expressed interest in the affected area should also be canvassed where this is possible. The following groups should be included:

- Residents living in the immediate locality of the local lettings policy area.
- Applicants who have previously expressed an interest in properties in the proposed area.
- Representative community organisations and other significant local partners e.g., local community partnerships recognised and supported by the City Council.
- Local tenants and residents' organisations representing tenants affected by the proposal.

- Local Community Housing Office staff responsible for the management of the proposed changes.
- Local Councillors.

In some situations, consultation may not be required. This will be particularly relevant to schemes where there are funding conditions attached to a scheme. The ALO can provide advice as to whether consultation is required.

The outcomes of the consultation process will be collated by the nominated lead and will form part of the final decision-making process. In all instances, affected residents and others involved in the consultation process will be notified of the final recommendation, the timetable for decision and if agreed the date after which the changes will become effective.

2.4 Stage Four – Deciding on the proposal

A local lettings report based upon the local lettings policy template will be prepared by the nominated lead for the attention of the ALO to determine if FHU wish the LLP to be considered for a delegated decision (DD). The ALO will check the policy and, if the proposal is to proceed, will complete the delegated decision (DD) report and process.

Once a decision has been reached, the outcome will be communicated to the nominated lead who will confirm the outcome in writing to those affected by the decision including the date on which the changes will become effective.

2.5 Stage Five – Recording and Monitoring

All local lettings policies will be held centrally by FHU on the local lettings policy register. The FHU will be responsible for updating and maintaining the LLP register. The ALO will also be responsible for publishing these on the Newcastle Homes website.

Housing Services will ensure any properties advertised will be done so in accordance with the local lettings policy and any exceptions to the agreed policy are monitored and are within the scope of the agreed recommendation.

Local lettings policies will be reviewed on a 3-yearly cycle, with the exception of specialised accommodation such as extra care, sheltered housing and housing for people with a learning disability or autism. The purpose of the review will be to establish if the LLP is still required.

The LO is responsible for reviewing local lettings policies. Stage one to four, as set out above, will be followed if any changes to the policy are proposed.

3 Requests for local lettings policies by registered providers of housing (RP's)

The Council requires registered providers (RP), with whom it has nomination rights, to seek approval from NCC, prior to implementing a local lettings policy. This is most common at the initial development stage, whereby a request will be sent to the FHU's Allocations and Lettings Officer (ALO) responsible for liaising with RP's.

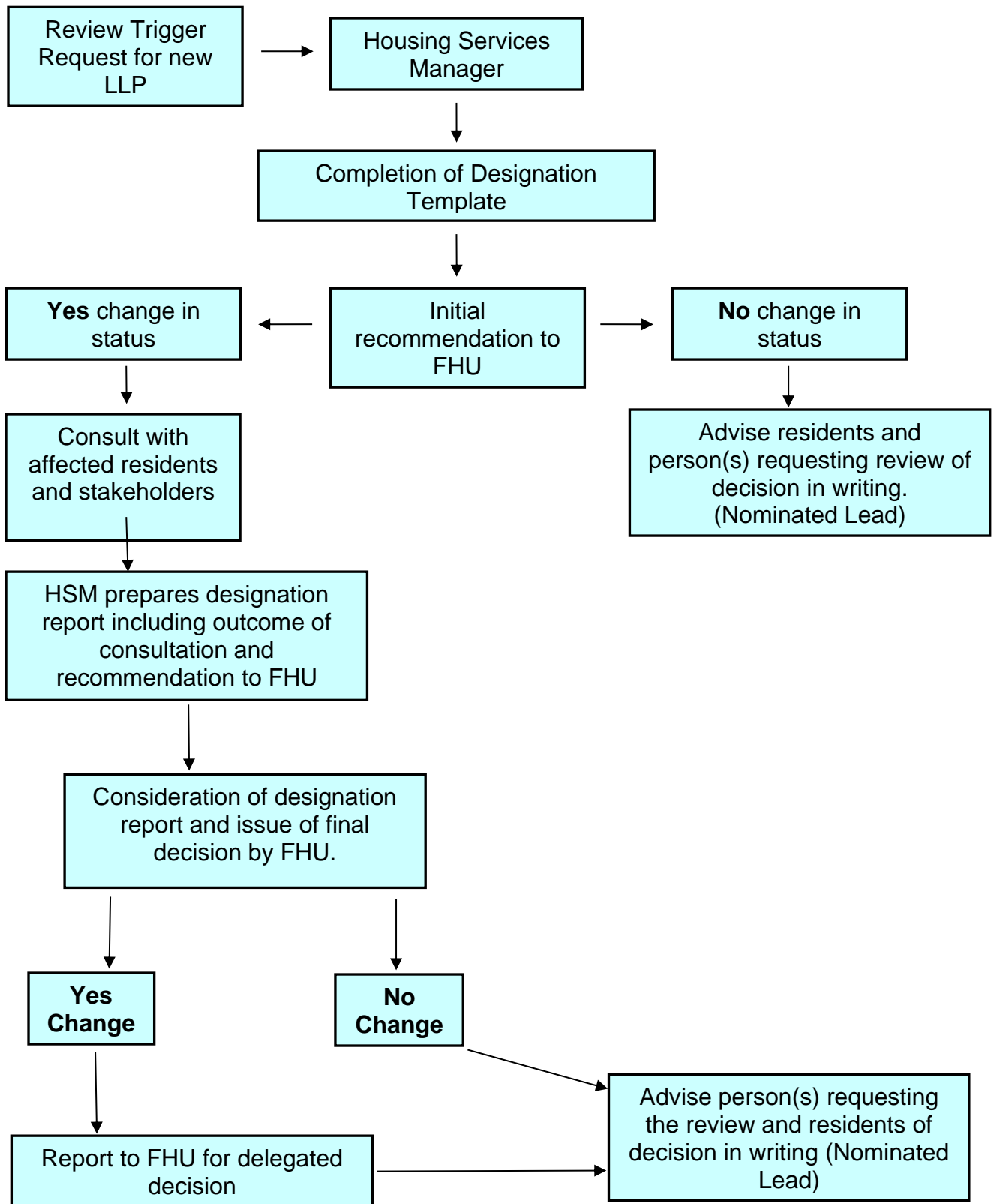
The PRP will need to complete the LLP Designation Template (Appendix 2) with the support of the ALO.

The ALO will work with the RP to complete the template attached at Appendix 3 and provide details of any consultation and an impact assessment.

The ALO will liaise with the RP to provide any assistance to develop the LLP and ensure it complies with NCC's allocation and lettings policy and the strategic objectives of the Council. If NCC are happy to support the policy the ALO will complete the necessary DD report and associated process for consideration and relay the response to the RP.

4 Appendix 1

Designation Flow Chart



5 Appendix 2

Local Lettings Policy Designation Template

LOCAL LETTINGS POLICY	
<INSERT NAME OF SCHEME>	
<INSERT SCHEME TYPE e.g., SUPPORTED, GENERAL, SPECIALIST>	
Introduction/background	
Background on development/purpose	<p><INSERT NAME> consists of ...</p> <p>Comment on availability of properties e.g. <i>This block has become available for letting, having previously been used as a supported housing scheme for people requiring support due to a mental health diagnosis.</i></p> <p>It is proposed to...</p> <p>The purpose of the scheme is to...</p>
Description of area	
Statement on nominations and lettings	
	Allocations will be made in accordance with NCCs allocations and lettings policy and the Newcastle Homes Scheme.
	The purpose of this local lettings plan is to ensure allocations are made to those applicants meeting the criteria detailed below.
Local lettings plan detail/criteria	
	Selection to be made in line with housing need as per Newcastle's allocation policy. <INSERT CRITERIA>

	<p>Applicants may be qualifying or non-qualifying for Newcastle Homes. <AMEND AS APPROPRIATE></p> <p>Applications/Referrals will be made/received from...</p> <p><INSERT NAME/TEAM/PANEL> will assess applicant's suitability by/through <INSERT INFO></p>
Property criteria	
	<p>Properties will be allocated to... (FAMILIES, SINGLE PEOPLE, PEOPLE AGED OVER), with a XXXX need.</p> <p>The properties are over a X storey building, so consideration will be given to mobility and ability to self-evacuate in the event of a fire. (DELETE/AMEND AS REQUIRED)</p>
Tenancies	
	Intro/Secure/Fixed term tenancy
Estate management and maintenance services	
	<p>On site staff</p> <p>Ostara</p> <p>Tenancy and estate management</p> <p>Concierge</p>
Rent and other charges	
	<p>Basic rent £XX per week</p> <p>Intensive Housing Management Charge £XX per week</p> <p>Furniture charges and Ostara will also be included.</p> <p>Please note these charges are likely to change in line with the annual rent review.</p> <p>AMEND/DELETE AS APPROPRIATE</p>

Equalities statement	
	Local Lettings Plans are only used for specific reasons, whereby a landlord wishes to target a certain group/s of people to move into a property. By doing so it is important that no other groups are being unfairly disadvantaged
	The scheme meets a gap in housing options for this customer group and will provide a more suitable living environment. The lettings plan will have minimal impact on other customers due to the size of the scheme
Monitoring and review	
	The scheme will be reviewed after XX.
Contact details	
Consultation details	

6 Appendix 3

Local Lettings Policy Monitoring Form

This form should be completed by the FHU and a copy provided to the relevant landlord.

1. LLP Scheme Name	
2. Landlord	
3. Date of Initial Application	
4. Summary of Scheme	
How will the LLP be applied?	
Initial Response from FHU & Date	
Final Decision from FHU and Date	
Outcome of Delegated Decision and Date	
LLP Due for Review by	
Review Outcome and Date	