

**Executive
2022**

25th October

Local Lettings Plans Policy

Relevant Portfolio Holder	Craig Warhurst Councillor
Portfolio Holder Consulted	Yes
Relevant Head of Service	Judith Willis
Report Author	Job Title: Amanda Delahunty Contact email: a.delahunty@bromsgroveandredditch.gov.uk Contact Tel: 01527 881269
Wards Affected	All
Ward Councillor(s) consulted	No
Relevant Strategic Purpose(s)	Finding somewhere to live Aspiration, work and financial independence Living independent, active and healthy lives Communities which are safe, well maintained and green
Non Key Decision	
If you have any questions about this report, please contact the report author in advance of the meeting.	

1. RECOMMENDATIONS

The Executive Committee RESOLVE that:-

- 1.1 The Policy included in Appendix A is approved.
- 1.2 To give delegated authority to the Head of Service in conjunction with the Portfolio holder to agree and adopt future local lettings policies.

2. BACKGROUND

- 2.1 The Council's Allocations Policy provides the legal allocations framework as to who is accepted onto the register, how the register is administered and how the majority of social rented housing in the area is let.
- 2.2 Local Lettings Plans (LLPs) are a means of varying the allocations scheme, for example on new developments where a large number of social rented properties are being delivered at the same time and the

aim is to create a mixed and balanced community. As a variation to the Council's allocations scheme each LLP must be formally adopted as an appendix to the Allocations Policy.

- 2.3 An LLP is a set of guidelines or criteria governing which households can be allocated accommodation in a specific designated area. LLPs are used to help create balance and cohesion. However, an LLP must not dominate the scheme at the expense of the statutory reasonable preferences categories as defined in legislation.
- 2.4 As the local Housing Authority, the Council is required by law to have an allocations scheme for determining priorities in the allocation of social rented housing. The Council's Redditch Homes Allocations Policy is the Council's allocations scheme.
- 2.5 The purpose of the report is to explain why the LLPs may be used and request that Executive give authority to the Head of Service, in consultation with the Portfolio Holder for Housing, to adopt future LLPs.
- 2.6 LLPs are one of the key ways for local authorities and partners to address particular circumstances where there is strong evidence that letting through the Allocations Scheme will compromise its sustainability e.g.;
- By giving a mix of household sizes, often in new developments, to help form a balanced and sustainable community.
 - To make best use of new and/or existing homes for example helping existing tenants for larger properties to downsize.
 - To help meet housing management objectives in areas where there is significant Anti-Social Behaviour.
 - To help meet specific local needs or address particular local issues.
 - To help meet local needs in rural areas through giving priority to people with a local connection.
 - To enable people to move back into the area where they have had to move out for redevelopment to take place.
- 2.7 Where it is felt that an LLP may be required for any of the reasons highlighted early discussions will take place with the social landlord of the housing. If an LLP is required the plan will be negotiated with the social landlord or Housing Tenancy and Advisory Manager, the local ward Member will be consulted and will have seven days within which to respond, after which, if no response is received, it will be assumed

that they are in agreement. The final LLP will be approved by the Head of Service in consultation with the Portfolio Holder for Housing.

3. FINANCIAL IMPLICATIONS

- 3.1 This Policy will not have significant financial implications. The ability to flexibly allocate housing will ensure that the Council can be proactive in the management of its own housing stock.
- 3.2 This will have a positive financial impact as it will lead to better use of council resources. For example, encouraging under occupying households to downsize will help support families in need who may be occupying expensive temporary accommodation to move into suitable, settled accommodation.
- 3.3 It is expected that the Policy and Procedure will provide clarity to staff by setting out the expectations in regard to LLPs content, evidence, monitoring and review. The current housing register system will be able to support the implementation of the LLP.
- 3.4 There is no requirement to consult on LLPs. However, the council's Allocations Policy that has already been consulted on states:

Local Lettings Plans (LLPs)

Redditch Borough Council reserves the right to apply additional criteria for example specific local connection criteria, offers of family sized accommodation to smaller households or those in employment when using LLPs. The Council and housing associations, in the interests of promoting balanced and sustainable communities, agree LLPs for specific areas, estates, or blocks. This is to ensure that lettings plans are tailored to the needs of an area and protect the interests of existing residents and the wider community.

All LLPs will be available from the landlord upon request.

The principles in applying Local Lettings Plans (LLPs)

- LLPs may be developed to meet the particular needs of a local area.
- LLPs can apply to single properties or a number of properties in a particular area that may become available over a period of time.
- There must be a clear reason for having an LLP (this may take the form of recurring antisocial behaviour issues, high child densities or a concentration of older residents) and will be subject to reconsideration.

- The LLP must be developed and approved in accordance with an agreed procedure that must have specific aims and will be reconsidered on an annual basis.
- A requirement of a Section 106 agreement of the 1990 Town and Country Planning Act.

The decision to implement an LLP will be developed and approved by a Senior Officer of the Council. The local ward Member will be consulted and will have seven days within which to respond, after which, if no response is received, it will be assumed that they are in agreement. Any decision to implement an LLP will always take into account the implications for equal opportunities and the need to ensure that the Council is able to meet the allocation needs of those owed a reasonable preference.

Where a property is advertised in accordance with an LLP, the letting will be made to the highest bidder who meets the eligibility criteria of the LLP.

Examples of possible Local Lettings Plans (LLPs)

The following are examples of local letting criteria that could be included in respect of a specific area, estate, or block:

- Age restrictions.
- Where the property forms part of a rural housing scheme on an exception site.
- Restrictions on lettings to vulnerable households where there are already a concentration of supported tenants/residents.
- Sensitive lettings where there have been issues with anti-social behaviour.

4. LEGAL IMPLICATIONS

- 4.1 Section 166A(6)(b) of the 1996 Housing Act enables local 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). Therefore, the LLP will only relate to up to 50% of first lettings on any new development, or up to 100% of re-lets for an existing area experiencing sustainability and community cohesion issues, for a set period of time.

- 4.2 This is the statutory basis that allows local authorities to adopt LLPs for certain parts of the social rented stock within their area.
- 4.3 The authority for delegating functions to Officers is contained in Section 101 of the Local Government Act 1972 and Section 14 of the Local Government Act 2000.

5. STRATEGIC PURPOSES - IMPLICATIONS

Relevant Strategic Purpose

- 5.1 LLPs have a role to play in helping achieve the following Strategic Purposes through the letting of rented housing to delivering balanced and mixed communities within new and existing communities.
- Finding somewhere to live.
 - Aspiration, work and financial independence.
 - Living independent, active and healthy lives.
 - Communities which are safe, well maintained and green.

Climate Change Implications

- 5.2 There are no climate change implications.

6. OTHER IMPLICATIONS

Equalities and Diversity Implications

- 6.1 The potential impact on protected characteristic groups has been considered as part of the initial Equality Impact Assessment (EQIA).
- 6.2 Mechanisms have been put in place to ensure robust monitoring of objectives and outcomes so that there is no negative impact on equalities groups.
- 6.3 Officers will also be required to complete and submit an EQIA alongside each LLP for agreement and approval by the Housing Services Managers.

Operational Implications

**Executive
2022**

25th October

6.4 Whilst this does introduce an additional layer in the allocation of some social housing it is anticipated that this can be met by current resources.

7. RISK MANAGEMENT

7.1 There are risks associated with not having local lettings plans in place:

Risk	Consequence	Mitigation
The Council not fully utilising opportunities to effectively and sensitively allocate properties for new developments and existing schemes that are experiencing difficulties such as anti-social behaviour	<ul style="list-style-type: none">• Increase in staff resources to deal with anti-social behaviour• Potential increase in transfers or homelessness	<ul style="list-style-type: none">• Providing balanced and sustainable communities through local lettings plans can help to mitigate this.
Not being able to implement local lettings plans may lead to higher incidences of anti-social behaviour on new developments	<ul style="list-style-type: none">• Developments require intensive management and police resources to resolve issues.	<ul style="list-style-type: none">• Providing balanced and sustainable communities through local lettings plans can help to mitigate this.

8. APPENDICES and BACKGROUND PAPERS

Appendix 1 – Local Lettings Plan Policy

Appendix 2 – Local Lettings Plan Template

Appendix 3 – Initial Equalities Impact Assessment

9. REPORT SIGN OFF

Department	Name and Job Title	Date
Portfolio Holder	Craig Warhurst, Portfolio Holder for Housing and Procurement	22 nd September 2022

REDDITCH BOROUGH COUNCIL

**Executive
2022**

25th October

Lead Director / Head of Service	Judith Willis, Head of Community and Housing Services	22 nd September 2022
Financial Services	Peter Carpenter, Interim Deputy Section 151 Officer	22 nd September 2022
Legal Services	Claire Felton, Head of Legal, Democratic and Property Services	22 nd September 2022
Policy Team (if equalities implications apply)	Emily Payne, Engagement and Equalities Officer	5 th October 2022
Climate Change Officer (if climate change implications apply)	Not Applicable	

**Appendix 1
Local Lettings Plan Policy**

LOCAL LETTINGS POLICY

1 PURPOSE

- 1.1 The Council's Allocations Policy provides the legal allocations framework as to who is accepted onto the register, how the register is administered and how the majority of social rented housing in the area is let.
- 1.2 Local lettings plans (LLPs) are a means of varying the allocations scheme, for example for first lettings on new developments where a large number of social rented properties are being delivered at the same time and the aim is to create a mixed, balanced and sustainable community. As a variation to the Council's allocations scheme each LLP must be formally adopted as an appendix to the Allocations Policy.
- 1.3 An LLP is a set of guidelines or criteria governing which households can be allocated accommodation in a specific designated area. LLPs are used to help create balance and cohesion where either a specific set of circumstances need to be addressed or where there are wider strategic objectives, such as helping to support the local economy. However, an LLP must not dominate the scheme at the expense of the statutory reasonable preferences categories as defined in legislation.
- 1.4 As the local Housing Authority, the Council is required by law to have an allocations scheme for determining priorities in the allocation of social rented housing. The Council's Redditch Homes Allocations Policy is the Council's allocations scheme.

2 BACKGROUND

- 2.1 Under the legal requirements of the Housing Act (1996), all local housing authorities must give 'reasonable preference' to certain applicants on the housing register, for example those who are homeless or those who have a medical condition that is adversely affected by their current home and would be improved by a move.
- 2.2 This document sets out the Council's position in regard to its ability to allocate council accommodation to people of a particular description, whether or not they fall within one or more of the 'reasonable preference' groups.

- 2.3 The statutory basis for this policy is section 166A (6) (b) of the Housing Act (1996).

3 APPLICABILITY AND SCOPE

- 3.1 LLPs can be used in either one of two types of scenarios:
- For first-time social housing lets on a new development where lettings need to enable the creation of balanced/mixed sustainable communities at the outset and/or help support the local economy.
 - For re-lets in a specific area using current housing stock where lettings must be sensitive to local circumstances, to help address issues such as recent anti-social behaviour (ASB), criminal activity or drug/alcohol related nuisance.
- 3.2 LLPs are one of the key ways for local authorities and partners to address particular circumstances where there is strong evidence that letting through the Allocations Scheme will compromise its sustainability e.g.;
- By giving a mix of household sizes, often in new developments, to help form a balanced and sustainable community.
 - To make best use of new and/or existing homes for example helping existing tenants for larger properties to downsize.
 - To help meet housing management objectives in areas where there is significant Anti-Social Behaviour.
 - To help meet specific local needs or address particular local issues.
 - To help meet local needs in rural areas through giving priority to people with a local connection.
 - To enable people to move back into the area where they have had to move out for redevelopment to take place.
- 3.3 The evidence which supports the criteria, for example data from the Community Safety, police reports, data from other relevant agencies, or other evidence must be provided as part of the LLP.
- 3.4 LLPs should not be used as a form of discriminatory practice to exclude vulnerable members of the community, or to unreasonably restrict levels of choice.

- 3.5 Applicants should not be disregarded where they have historical problems that have not been an issue for the last three years. For example:
- History of substance or alcohol misuse more than three years ago.
 - History of Anti-Social Behaviour (ASB) or other relevant criminality more than three years ago.
- 3.6 Applicants may be disregarded if they have had episodes of criminality (or other issues as described in section 3.5) in the last three years. In these cases, the Council will seek to make contact with professionals working with the applicant to determine suitability.
- 3.7 When developing an LLP for first-time social housing lets on a new development, a Senior Officer will work collaboratively with key stakeholders to develop an LLP which may include one or more of the following:
- A mix of household types and children's ages.
 - Specialist housing – for example disability adapted homes may be reserved for households who require them.
 - Providing a balance between households that will need additional support and those that will not.
 - Allowing for under-occupation of some homes.
 - Identifying the balance to be struck between existing social tenants and home-seekers.
 - Ensuring some homes are available for let nearer to completion, where homes have been advertised through the Choice Based Lettings scheme well in advance of them being available to let.
 - Other reasonable criteria that will help achieve the outcomes listed above.
- 3.8 When developing an LLP it is important that any equalities implications are carefully considered.
- 3.9 The Council is committed to the aims of the Public Sector Equality Duty (2011):

- Removing or minimising disadvantages suffered by people due to their protected characteristics.
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people.
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

3.10 An Equality Impact Assessment will be completed for each LLP.

4 RESPONSIBILITIES

- 4.1 The LLP will be drafted by the Senior Officer responsible for tenancy management in that area. Please see the Local Lettings Plan template that will help achieve the desired outcome. The local ward member will also be consulted as part of this process. All current LLPs will be published on the Council's website.
- 4.2 The Head of Housing and Communities in consultation with the Portfolio Holder for Strategic Housing will be responsible for agreeing the criteria of the LLP.

5 MONITORING AND REVIEW

- 5.1 All LLPs will be reviewed within a set period of time:
- For first-time social housing lets on a new development, these will be reviewed within two years of the final letting or sooner if appropriate.
 - For re-lets in a specific area using current housing stock these will be reviewed within three years.
- 5.2 The overall use of LLPs will be monitored by Strategic Housing every three years. The purpose of the review will be to ensure that the original objective of the LLP has been met, and where this is not the case appropriate mechanisms put in place to ensure a solution is found and lessons learned.

Policy written: Oct 2022

To be reviewed by: Oct 2023

**Executive
2022**

25th October

**Executive
2022**

25th October

Appendix 2

Local Lettings Plan

Redditch Borough Council

This document will be made available to the public via the Council's website.

LOCAL LETTINGS PLAN

Nominating Body:			
Allocating Body:			
Scheme location:			
Parish:			
Operational from:		Scope:	[Perpetual]

Summary of purpose:	To facilitate the development and maintenance of a balanced and cohesive community by specifying the arrangements eligibility criteria for the nomination and allocation by the Nominating and Allocating Bodies respectively of tenants [and purchasers]		
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Accommodation type:			
Date of practical completion:		Phased:	
Description:			
Nomination Rights:			
Scheme profile:			

REDDITCH BOROUGH COUNCIL

**Executive
2022**

25th October

Does S.106 Agreement apply?	
Context:	
Local connection cascade summary:	
Allocation objectives:	
Have you consulted applicants on this local lettings plan	
Has the Ward Member been consulted?	
Has an Equality Impact Assessment been completed?	
Local Lettings Criteria for up to 50% of first lettings of properties in new developments or up to 100% of re-lets for existing areas for a limited time period:	
Process/eligibility pathway(s):	
How will you know the objective has been achieved? Monitoring/review arrangements:	
Other relevant information:	

Signed on behalf of the Council:

REDDITCH BOROUGH COUNCIL

**Executive
2022**

25th October

Name:

Designation:

Date:

Signed on behalf of the Registered Housing Provider:

Name:

Designation:

Date: