

Report of Head of Strategy and Investment

Report to Chief Officer Property and Contracts

Date: October 2014

Subject: Request to Lease 26-33 Hemingway Garth, Hunslet, LS10 2PG to Home Group

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):City and Hunslet	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

1. 26 – 33 Hemingway Garth, is owned by the Council and vests with Environments and Housing. It is a traditional brick built block of 8 x 3 bedroomed maisonettes.
2. These properties are let to Home Group on External Committee Tenancies for the purpose of providing supported housing to ex-offenders, for which they are in receipt of Environments and Housing funding. However, committee tenancies are in breach of and Leeds City Council's tenancy policy, therefore this report seeks approval to regularise this arrangement by way of a lease to Home Group.

Recommendations

3. It is recommended that Chief Officer Property and Contracts grants approval to lease 26-33 Hemingway Garth to Home Group, for the purpose of providing supported housing to ex-offenders on a five year internal repairing lease with annual break clauses, rent to be set in line with rents set by the council for similar properties for social rent.

1 Purpose of this report

- 1.1 The purpose of this report is to seek approval of Chief Officer Property and Contracts to lease 26 - 33 Hemingway Garth, to Home Group, for the purpose of providing supported housing to ex-offenders on a five year internal repairing lease with annual break clauses.

2 Background information

- 2.1 26 – 33 Hemingway Garth, is a block of 8 x 3 bed maisonettes, which vests with Environments and Housing and is let to Home Group on an external committee tenancy since 1987, with the exception of 27 Hemingway Garth.
- 2.2 27 Hemingway Garth was previously let to the Asylum Support Team until their dispersal in December 2012, and let to Home Group on an external committee tenancy agreement since August 2013.
- 2.3 Home Group delivers a supported housing service via their subsidiary Stonham Services at 26-33 Hemingway Garth. All of their tenants are male ex-offenders, which are under a Multi-Agency Public Protection Arrangement (Mappa). Stonham Services work with local criminal justice agencies and other bodies dealing with offenders to work together in partnership with these offenders, which have complex support needs. One of the properties is used as an office and base for Stonham Services supported housing staff. Stonham Services are in receipt of Environment and Housing funding for providing this service.
- 2.4 Given the complex needs of this client group it is beneficial for the service delivery for Stonham Services to have the whole block, utilising one of the flats as an office and base for their supported housing staff, which enables Stonham Services to provide an intensive support service to their clients.

3 Main issues

- 3.1 The current arrangement of letting these 8 properties to Home Group on a committee tenancy is in breach of Section 167 of the 1996 Housing Act and the Council's tenancy policy. A council officer met with a member of staff from Home Group to let them know this and discuss a way forward. Following this meeting Home Group have confirmed that they are in agreement that a lease would be the best way forward as it will protect both their and the council's interests.
- 3.2 Home group have requested a five year internal repairing lease with annual break clauses, which allows them to give their tenants six months' notice. They require a long notice period due to their tenants complex support needs. They require annual break clauses as their funding is reviewed annually.
- 3.3 Home Group currently pay the Council's social rented rate of 74.82 per week for each of the 3 bedroomed maisonettes and wish to continue to do so as their budgets are limited and have been based on the assumption that this is what the council would be charging.

- 3.4 A decision to lease 26-33 Hemingway Garth to Home Group will enable Stonham Services to meet the needs of vulnerable clients and work closer within community.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 Local Ward Members, Area Management and Housing Management have been consulted and no adverse comments have been received.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 An equality, diversity cohesion and integration screening exercise has been carried out. This has confirmed that equality, diversity, cohesion and integration considerations have been effectively considered in relation to this proposal and that a full impact assessment was not required.

4.3 Council policies and City Priorities

- 4.3.1 Home Housing Group via their subsidiary Stonham Services provides supported housing to ex-offenders where there is an identified housing need in the city. Granting a lease to Home Group will help them meet the needs of their vulnerable clients and work closer within community

4.4 Resources and value for money

- 4.4.1 Home Housing Group will continue to pay rent in accordance with the council's rent set at a social rented rate for these properties, therefore there isn't a loss of income for the council.

4.5 Legal Implications, Access to Information and Call In

- 4.5.1 This report is not eligible for Call in.
- 4.5.2 According to legal advice the practice of letting 'committee tenancies' to external organisations is unlawful and conflicts with the provisions of the Leeds City Council's Lettings Policy and Sections 167 and 159 of the 1997 Housing Act. It is therefore recommended that we formalise these arrangements via a lease agreement.

4.6 Risk Management

- 4.6.1 If the council doesn't agree to lease 26-33 Hemingway Garth to Home Housing they will be in breach of their own tenancy policy and also Sections 167 and 159 of the 1997 Housing Act.

5 Conclusions

- 5.1 The current arrangement of letting 26-33 Hemingway Garth to Home Group on an external committee tenancy is in breach of the Council's Tenancy Policy and Sections 167 and 159 of the 1997 Housing Act. In order to enable Home Group

to continue to provide supported housing to ex-offenders it is recommended that the council formalise this arrangement by way of a lease agreement.

6 Recommendations

- 6.1 It is recommended that Chief Officer Property and Contracts approve that the Council leases 26-33 Hemingway Garth to Home Housing Group, for the purpose of providing supported housing to ex-offenders on a five year internal repairing lease with annual break clauses, rent to be set in line with rents set by the council for similar properties for social rent.

7 Background documents¹

- 7.1 Location plan of 26-33 Hemingway Garth.

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.