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# **Leeds City Council**

## **Affordable Homes Nominations and Lettings Plan**

### **Thorpe Crescent Your Housing**

# **1 Introduction**

- 1.1 It is important that everyone in Leeds has access to housing, where possible, in an area where they want to live and at a price they can afford. The Council is committed to helping local people who cannot gain access to such accommodation.
- 1.2 The purpose of this plan is to develop an appropriate lettings strategy with our Registered Social Landlord partners for new schemes currently in development, including sites with new council homes. This is to achieve greater sustainability of communities and tenancies, and to address concerns about premature deterioration of these sites from past experience in some areas of the city.
- 1.3 The governments publication 'Fair and Flexible' highlighted the need to make decisions on lettings more flexibly and gives Local Authorities the power of flexibility on allocations. Lettings Policies have not been seen to be fair to the general public as lets have in the past been made to customers in priority need, meaning that some customers in general needs spend a long time on waiting lists.
- 1.4 A key priority within the Leeds City Council Housing Strategy 2009-12, was to enable the provision of new affordable quality housing. It also identifies that the Council will ensure full take-up of nominations for affordable housing and work closely with Affordable Housing Providers (including Registered Social Landlords) to monitor the allocation of properties to those in housing need.
- 1.5 The Council is the Housing Authority for the purposes of the Housing Act 1985 and, as the housing authority, is required by Section 8 of the Housing Act to consider the needs of the City with respect to the provision of further affordable accommodation.
- 1.6 The Homelessness Act 2002 and Housing Act 2004 also identify the need for Local Housing Authorities to address the issues of housing conditions, homelessness and provision of suitable decent homes.
- 1.7 The vision of the Leeds City Council Housing Strategy 2009-2012 was to 'create opportunities for people to live independently in quality, affordable housing'.
- 1.8 The strategic vision encompasses three strategic themes:

- 1. Increase affordable housing supply**
- 2. Improve housing quality**
- 3. Promote independent living**

- 1.9 Affordable Housing is defined within the Communities and Local Government Publication 'Planning Policy Statement 3: Housing' , as social rented and 'intermediate' housing products that are below market prices or rents. It is provided to specific eligible households whose needs cannot be met by the market at a cost that they can afford, determined with regard to local incomes and house prices.

- 1.10 The objective of this plan is to ensure that National, Regional and Local Priorities are being considered. It also seeks to ensure that Leeds City Council is contributing towards the creation and maintenance of sustainable communities by ensuring that affordable homes within new housing development schemes in the City are allocated to those people in housing need.

## **2. Securing Nominations**

- 2.1 RP's will be required to enter into a Section 106 Agreement that will secure the nominations arrangements for the affordable housing units on new schemes. In most cases this will be 100% Council nominations on first letting or equity sale and 75% of nomination rights on subsequent letting or equity sale on all new affordable housing in the City. The remaining 25% of nominations should be made by the Affordable Housing Provider that owns and/or manages the affordable housing properties. This will ensure that the affordable housing is allocated to eligible households from the Council's Housing Register, who are in need of such housing due to their personal and financial circumstances. This nominations arrangement will apply to all new affordable housing units.
- 2.2 The Section 106 Agreement will also include arrangements for securing that where appropriate (e.g. rural sites or sites developed via a Partnership) priority will be given to eligible housing applicants who have a local connection to the area where the development takes place or local area as defined within any Partnership Agreement.

## **3. The RP will be required to;**

- Undertake additional 'vetting' checks on all listed household members prior to letting, including follow up of references to determine previous tenancy management issues, national insurance number verification, employment verification, and in depth checks for previous rent arrears.
- Use Starter Tenancies (similar to the Council's Introductory Tenancies) where tenants are given reduced security of tenure for the first twelve months of their tenancy to prove that they can maintain an agreed standard.
- Set up a tenancy management programme for all new residents on affordable housing developments that includes:
  - intensive monitoring during the 'starter' tenancy period to instigate early action for breach of tenancy agreement.
  - periodic inspections to confirm identity, condition of property, family make-up,
  - resident group liaison to assist in maintaining good standard and sustainability
- Provide additional support and intensive management to customers with support needs to ensure that customers can live independently and sustain their tenancy. This is typically for the first 6 months of a tenancy. Additional links should be made with jobs and skills, credit union and the benefits service to help provide a complete service to people being housed.

- Inform the CBL team of the completion of developments at least 3 months prior to completion date in order for nominations to be assigned.
- Advertise the new developments in the Leeds Homes Flyer.

## **4. Key elements for all Local Lettings Plans**

### **4.1 Local Connection**

4.1.2 The use of local connection preferences would ensure that as far as possible, social housing would go to those people who live or work within Leeds or those who have close family connections in Leeds.

4.1.3 Local connection is defined in Part VII of the Housing Act 1996. It includes:

- Those who are normally resident in the area. Local Government Association guidelines define this as having lived in the area for six out of the last twelve months, or three out of the last five years, where residence has been out of choice
- Those who are employed in the area. The Local Government Association guidelines define this as employment in the area which is other than of a casual nature
- Those who have family connections. The Local Government Association guidelines define this as immediate family\* members who have themselves lived in the area for five years or more

(\*Immediate family members can be considered as mother; father; brother; sister; and adult children. However, there are exceptional circumstances where other family members can be considered if there is satisfactory evidence available to support these exceptional circumstances).

### **4.2 Band C**

4.2.1 This element would ensure, as far as possible, that more priority is given to a proportion of people in Band C of the Leeds Homes Register for all lets and subsequent re-lets .

4.2.2 'Band C' is defined as customers

- with no assessed housing need
- whose priority award has expired
- whose priority has been removed
- without a local connection to Leeds

4.2.3 This band will include people who have been on the waiting list for an excessive amount of time. Waiting time allocation has the benefits of being simple, transparent and is easy to understand. It also accords with the view held by some sections of the public on how social housing should be prioritised.

### **4.3 Overcrowding and Under Occupation**

4.3.1 This will mean customers living in a 'severely overcrowded' situation, or those who have bedrooms to release for larger families by way of downsizing will be given preference as part of the current Under-Occupation and Overcrowding Strategies. This will also mean that we are making better use of housing stock.

4.3.2 Bedroom requirements are referred to in the Leeds Lettings Policy , see below;

*A separate bedroom ought to be available based upon the council's standard for:*

- *each adult (age 16 years or over), except when living together as partners; and*
- *two children, where one is age 10 years or over, who are not the same gender.*

#### **4.4 Previous Tenancy History**

4.4.1 Consideration will be given to previous tenancy history irrespective of tenure. Where customers have an excellent previous tenancy history with no issues of rent arrears, anti-social behaviour or other breaches of their tenancy, preference should be given provided they match other key elements of the local lettings plan.

### **5. Variable elements of Local Lettings Plans**

5.1 The following elements may be applied to new schemes dependant on the needs identified for the area and based on findings from consultation carried out with customers on the Leeds Homes Register, local residents and ward members.

#### **5.2 Employment / Training**

5.2.1 This will ensure that as far as possible, a proportion of social housing will go to those people who are employed/training in Leeds or with a track record of employment and training. This will also attract essential Key Workers to the district or those with skills in short supply. Priority will also be given to people within Leeds who wish to move to take up training or employment opportunities to address worklessness in the City.

5.2.2 Key workers are defined as public service professionals, technical, and front line workers.

5.2.3 This category includes:

- postal workers
- people training for an occupation
- hospital ancillary staff
- local government workers
- administrative staff within the police, fire service, education, social services etc
- classroom assistants

### **5.3 Age Restrictions**

- 5.3.1 Applying an age restriction to a property ensures that allocations are made to customers of a certain age only. This is particularly useful in Sheltered Housing schemes or housing for Older people.
- 5.3.2 Providing housing exclusively for older people means the tenancies will be more mainstream and that specialist homes of the right type are built in the right location for older people. New developments are being planned and built to Lifetime Homes Standards.

### **5.4 Supported Living**

- 5.4.1 An agreed proportion of lets may be made to persons with support needs. Applying criteria to give more preference to people who require supported living, means where customers have identified support needs which may need a higher level of support, they have provision made available to them by the RP.

### **5.5 Clearance**

- 5.5.1 Where a customers property is scheduled for demolition or purchase under Leeds City Councils delegated decision powers or a Council Executive Board decision the Council will award effected customers the necessary priority to rehouse them appropriately.

## **6. The Nominations Procedure**

### **6.1 For Initial Lettings and Housing Sales Post Planning Permission**

- 6.1.1 To facilitate tenant and intermediate housing purchaser choice, and to ensure minimum void levels, the timescale for nominations should be agreed between the Council, Affordable Housing Provider and/or the Developer prior to commencement of any development on the site.

- 6.1.2 In accordance with the timescale for nominations, the Affordable Housing Provider will supply relevant property details including;

- property location
- size
- type (such as flat, bungalow, 2 storey houses)
- agreed tenure
- proposed affordable costs to the potential affordable housing purchaser
- provisional dates for dwelling completion

to the Affordable Housing Team at the Council and request nominations of housing applicants who are eligible in accordance with any existing local lettings arrangements/plan or local connection requirements.

- 6.1.3 The Council will make the appropriate number of nominations to the Affordable Housing Provider within the agreed timescale (usually 12 weeks before

completion) and in accordance with any local lettings or partnership agreements/plans.

- 6.1.4 The Affordable Housing Provider will allocate the affordable housing in accordance with their Lettings Policy and Procedures.
- 6.1.5 The Affordable Housing Provider will provide the Council with an ongoing progress report on the allocations of affordable housing on new sites. This will include refusal reasons for any unsuccessful nominations. Should an unreasonable refusal reason be given the Council will enter into negotiations with the Affordable Housing Provider, on behalf of the customer, in order to reach a pragmatic and satisfactory outcome.

## **6.2 For Subsequent Lettings and Intermediate Housing Sales**

- 6.2.1 The Affordable Housing Provider will approach the Council to advise that the affordable housing units are available for re-let or re-sale and the expected date when these units will become available (or void). The Affordable Housing Provider will also agree with the Council an appropriate time scale in which to make further nominations for these properties.
- 6.2.2 The Council will make appropriate nominations of eligible households within the agreed time scale and is entitled to nominate 75% of all affordable housing re-lets and re-sales. The remaining 25% of nominations can be made by the Affordable Housing Provider but all nominees shall be eligible for affordable housing under the appropriate eligibility criteria.
- 6.2.3 Similarly to initial lettings and sales the Affordable Housing Provider will provide the Council with progress reports on the re-allocations of affordable housing on sites. This will include refusal reasons for any unsuccessful nominations. Should an unreasonable refusal reason be given the Council will enter into negotiations with the Affordable Housing Provider, on behalf of the customer, in order to reach a pragmatic and satisfactory outcome.
- 6.2.4 For subsequent Housing Sales, the Local Lettings Plan will not apply as the Local Authority cannot impose a Local Lettings Plan on an individuals owned property.

## **7. Monitoring and Evaluation**

- 7.1 Monitoring and Evaluation systems will be put in place by the Leeds Homes team and lettings outcomes will be made available to the public so that customers can see that the Local Lettings Plan is being complied with and is fair. Ward Members, Customers and residents from the local area should be given the opportunity to feedback comments on how the scheme is working.
- 7.2 Consultation will be carried out with tenants and customers in the surrounding area to assess if the initial aims of the development are being met
- 7.3 This Plan will be evaluated, in terms of its impact on contributing towards the priorities within the Council's Housing Strategy.

- 7.4 The evaluation will assess whether the expected outcomes of this Plan have been achieved e.g. 100% of nomination rights on first letting or equity sale and 75% of nomination rights on subsequent lettings for social rented properties on all new affordable housing in the City .
- 7.5 An Equality Impact Assessment will be carried out prior to any nominations being made, see Appendix B : Equality Impact Assessment.
- 7.6 This plan will be reviewed 12 months from its implementation and every 12 months there after.

## **8. Nomination Decisions and Appeals**

- 8.1 Nominations for affordable housing will be made fairly and in accordance with existing allocations policies. This will be a joint process between Leeds Homes and the RP dependant on the nature of the appeal. Should housing applicants wish to ask for a review/appeal against the fact they were not nominated to the RP by Leeds City Council the Leeds Homes team will deal with this in the first instance. Should the appeal concern the fact the customer has been nominated to the RP but has not been selected to be rehoused the RP will deal with this following their own policies and procedures.



<b>1. Organisation name :</b> <a href="#">Your Housing</a>			
<b>2. NHO:</b> <a href="#">Leeds South</a>			
<b>3. Addresses of properties covered by the proposed LLP:</b>  <b><a href="#">Thorpe Crescent</a></b> <a href="#">Middleton</a> <a href="#">Leeds</a> <a href="#">LS10 4EA</a>			
<b>4. Type of property: Please tick which applies (✓)</b>			
1BMSF		Bedsit	
2BMSF		2BM	
3BMSF		3BM	
1BF		2BH	✓
1/2BF		3BH	✓
2BF		4BH	
3BF		5BH	
Other – please specify:			
<b>5. How many individual properties does the proposed LLP cover:</b> <a href="#">25 (21 X 2BH, 4 x 3BH)</a>			
<b>6a.</b> Is the property more suited to specific customer groups (eg. older customers or disabled customers) due to the internal or external access facilities? <a href="#">General Family Accommodation</a>			
<b>6b.</b> If yes, will older or disabled customers be exempt from the LLP?  <a href="#">Older or disabled people will not be exempt from the LLP. In exceptional circumstances, customers with a disability to be exempted from the LLP if appropriate and as agreed by Your Housing and LCC</a>			

<b>7. Summary of LLP:</b>					
Age preference	N/A	Specify age preference	N/A	Average of current tenants	N/A
Local connection preference	Yes	Preference to customers in employment	Yes		
Preference to keyworkers	Yes	Preference to customers with / without children	Yes		
Under Occupation	Yes	Overcrowding	Yes		
General Needs	Yes	Priority Need	Yes		
<p>Other – please give details:  Preference will be given in the order demonstrated below;</p> <p>1st : Local Connection: Preference will be given to customers with a local connection to Middleton.</p> <p>2nd : Overcrowding / Under occupation : Preference will be given to customers in the local area who are currently living in an overcrowded condition or those who are under-occupying and are willing to move to downsize and free up social rented family accommodation in the area.</p> <p>3rd : Priority Need : A proportion of allocations will be made to customers with a Priority Need.</p> <p>4th : In Employment / Keyworkers : Preference will be given to customers who are employed, in training or with a track record of employment and training in the Middleton area.</p> <p>5<sup>th</sup> : Band C : Customers from Band C will be considered provided they meet criteria Number 1.</p>					
<p><b>8a.</b> Will the proposed LLP apply to joint applicants and people to be rehoused with the main applicant?</p> <p>The Local Lettings Plan will apply to both applicants</p>					

<p><b>8b.</b> What will happen if no short listed customers meet the LLP preference?</p> <p>Filters would be amended accordingly. Local Connections criteria will initially be expanded to applicants from adjacent Ward areas or it may be that more offers are made to customers in Band C for example.</p>
<p><b>8c.</b> How the preference category is defined, e.g. local connection or key worker?</p> <p>Preference will initially be given to people with a local connection to Middleton Ward, to customers in the area living in an overcrowded condition who need to move to a larger property (for the 3 bedroom properties for example). Preference will also be given to customers willing to move to free up social rented family accommodation in the area by way of downsizing (for the 2 bedroom properties for example). A proportion of lets will be made to customers employed or in training in the area. A proportion of lets may be made to customers in the general needs band should the first five criteria have been exhausted, provided they have a local connection to Middleton Ward.</p> <p>Refer to section 14 which outlines circumstances where there will be flexibility in applying the criteria to ensure the policy has due regard for equality issues and does not discriminate unlawfully.</p>
<p><b>9.</b> Why is this type of preference being proposed? To assist with the following;</p> <ul style="list-style-type: none"> <li>• Develop community cohesion</li> <li>• Provide family homes for local people</li> <li>• Increase customer satisfaction</li> <li>• Reduce tenancy turnover</li> <li>• Create an opportunity for tenure choice</li> </ul>
<p><b>10.</b> How does the Local Lettings Plan state these objectives will be measured?</p> <ul style="list-style-type: none"> <li>• Direct customer satisfaction surveys</li> <li>• Neighbourhood consultation</li> <li>• Lettings made by nominations</li> <li>• Rejected nominations &amp; reasons</li> <li>• Rejected applications &amp; reasons</li> <li>• Failed tenancies and reasons for failure</li> </ul>

- Households Accessing support
- Performance Indicators: rent loss / turnover / void rates

**11.** What other action is being taken to address the issues outlined in Q9?

- Local tenancy and estate management
- Support for vulnerable households
- Support for vulnerable people

**12.** What evidence is there to support the introduction of the proposed LLP?

- Previous Development in Middleton by Sanctuary HA had a LLP with has been successful
- Consultation undertaken with the Ward Members on 17th June 2013 regarding the scheme. At this meeting Ward Members expressed a desire to have an LLP on the site.
- Consultation held with the RP as part of the sale of the site included a requirement to have an LLP which was supported by the Your HG.
- Stakeholder consultation:  
Tenants  
Leeds Homes  
Ward Members  
Registered Providers (Housing Associations)

**13.** What consultation has taken place with the following groups?

Consultees	Number	% response	Evidence
Customers on the LHR			Leeds Homes Flyer
Easel Regeneration Service			N/A
Advertising Board On Site			Sign Board on site
Flyers			Pre planning application flyers
Local RPs			Project and Sub meetings
Supporting People providers			With Communications team
Local ward members	3		Consultation with

**14.** Equality Impact Assessment – please attach a copy of your EIA on the proposed LLP, outlining the potential impact it may have on the following customer groups:

- Disabled people
- Women, men and trans people
- People from black and minority ethnic communities, including refugees and asylum seekers and Gypsies and Travellers
- Lesbians, gay men and bisexual people
- Older people
- Younger people
- People from different religions and faiths
- Any other socially excluded communities for example people who are excluded because of education or skills levels, unemployment or reliance on state benefits, residential location or family background.

Equality Impact assessment attached.

Customers with no local connection to the area will be disadvantaged as they are unlikely to be let a property. However, council properties that are released as a result of a let to an underoccupying customer will not require a local connection, where they are advertised through the housing need quota. The local connection definition is wide enough to encompass residence, employment, family and other reasons. To mitigate any adverse equality impacts, the registered provider will have the discretion to waive the local connection requirement in exceptional circumstances where undue hardship would otherwise result.

In exceptional circumstances, customers with an urgent housing need to be exempted from the requirement to be overcrowded or underoccupying.

In exceptional circumstances, customers with a disability or caring responsibilities who are unable to work to be exempted from the requirement to be working.

In exceptional circumstances, customers with minor tenancy breaches who have demonstrated a change in behaviour to be exempted from the requirement for an excellent tenancy record referred to in Section 4.4.

**15.** If the LLP impacts on other customer groups (for example by reducing the number of lettings made to customers under a specified age) what measures will be put in place to counter-balance this?

Regular reviews will be carried out to ensure that applicants “displaced” have alternative and comparable opportunities to be rehoused.

<p><b>16.</b> Performance – provide performance statistics on lettings of properties covered by the proposed Local Lettings Plan for the last 12 months:</p> <p>N/A: New build project: currently no stats available</p>
<p><b>17.</b> If approved, how will the Council publicise the proposed Local Lettings Plan to customers and other stakeholders?</p> <p>Advertise in the Area Offices and on theWeb Site</p> <ul style="list-style-type: none"><li>• Leeds Homes Magazine</li><li>• Housing Office</li><li>• One Stop Contact Centres</li><li>• AVH website</li><li>• On Site advertisement by RP</li><li>• Leeds Homes Web Site</li></ul>
<p><b>18.</b> Date of Board approval:</p> <p>▪ Registered Provider: .....(Your Housing) .....(Date)</p> <p>▪ Leeds Homes : .....(Name) .....(Date)</p>