



## Report of the Director of Environment and Neighbourhoods

### Executive Board

Date: 22nd July 2009

Subject: Lettings Policy

#### Electoral Wards Affected:

All

Ward Members consulted  
(referred to in report)

#### Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for call In

Not eligible for call in  
(details contained in the report)

## Executive Summary

This report takes as a starting point concerns expressed about the Council's lettings process by elected members at the April Council meeting, and proposes options for change. The report looks at remedies, not just within the lettings process but suggests improvements that take in the application and tenancy management stages. The report proposes potential improvements in each of these areas, alongside improvements in access to information held by partner agencies, as a means to improving the overall management of tenancies and improving the perception of fairness within the lettings system.

### 1.0 Purpose of this report

- 1.1 The purpose of this report is to respond to the issues raised at the Council meeting in April 2009 where the Council's lettings policy was debated. The debate raised concerns about the appropriateness of some lettings made in the city, and the need for new developments to have lettings policies that would lead to sustainable communities. As a result, the Director of Environment and Neighbourhoods was asked to bring a paper to a future Executive Board meeting to address these concerns. The paper is designed to stimulate discussion and debate. Officers will provide further opportunities for the political parties to contribute as part of the formal development of a new lettings policy.

## **2.0 Background information**

2.1 At the Council meeting in April 2009, Members raised concerns about the operation of the lettings policy in the following areas:

- The lettings policy has resulted in some anti social tenants being rehoused in settled communities, resulting in misery for neighbours, and destabilising communities.
- The impact on the community when a letting is made to a person who has a chaotic lifestyle, and the need for support to ensure that that person can live independently whilst not creating antisocial behaviour.
- The tenancy management procedures undertaken by Arms Length Management Organisations (ALMOs) and Belle Isle Tenant Management Organisation (BITMO) in addressing anti social behaviour, particularly of new tenants
- The perception that the lettings policy is unfair because long standing customers in housing need cannot be rehoused as quickly as new customers with high housing need.
- The perception that since Choice Based Lettings was introduced, the selection of customers for properties is inflexible, resulting in the person most in need being let the property.
- The perception that the lettings policy mechanistically requires the person in highest need to be rehoused regardless of suitability has never been correct. Over the past 5 years, a number of process refinements have been introduced to enable officers to select an appropriate person whilst ensuring that decisions are auditable.
- Ensuring that the new affordable housing schemes that are due to come on stream from 2010 have appropriate letting plans to ensure that sustainable communities can be built and maintained.

## **3.0 Main issues**

3.1 What has already been done

3.1.1 The Lettings Policy has been continuously developed, with annual reviews in response to changes in legislation, case law, process developments, or in response to ongoing feedback from customers and partner agencies. Many of these changes have improved the policy, and developed the way ASB is considered in the lettings process. This has been done to provide housing managers, or those responsible for making decisions on lettings, with more options to tackle prospective tenants who show challenging behaviour. The key changes have been:

- Customers guilty of seriously unacceptable behaviour, such as rent arrears or antisocial behaviour, which is severe enough for them to be evicted, can be removed from the Leeds Homes Register. Since April 2007, 163 customers have been deemed unsuitable to be Council tenants and had their membership forms cancelled.
- In 2008, the policy was further strengthened to enable ALMOs/ BITMO to reduce applicants' housing need if they had smaller rent arrears, or had a recent record of anti social behaviour. For example, if the customer was in the Priority Extra band and

had displayed low level anti social behaviour which was not serious enough for them to be removed from the housing register, then they can be bypassed in favour of other customers.

- A process of verification of information supplied on the Leeds Homes membership form has been introduced to ensure that key information is gathered on applicants. If such information is not completed, the application will not be registered. An important part of the verification process is to identify customers guilty of unacceptable behaviour (such as with rent arrears / anti social behaviour).
- Local Lettings Policies were introduced in 2004 allowing ALMOs / BITMO to use additional criteria in allocating properties. Many Local Lettings Policies have been introduced to reduce antisocial behaviour caused by lifestyle clashes, particularly in multi storey and cottage style flats
- Rules have been introduced for bypassing the top ranked customer for an offer of accommodation in some prescribed circumstances, for example, where a customer needs to avoid a particular locality and be rehoused in a different area. This might be the case where a customer has completed a drug treatment programme and needs to avoid known areas of drug use. A further example could be a top ranked customer being bypassed where a member of their household is prevented from entering the area due to the conditions of an Anti Social Behaviour Order.
- Leeds Tenants' Federation has promoted the operation of the 'meet and greet' scheme. This is where new tenants are welcomed and given useful community information either at an accompanied viewing or at a post-sign up visits by trained members of the local Tenants' and Residents' Group.
- Providing greater support to tenants to ensure that the support needs of young and vulnerable tenants are identified and addressed. To support this, West North West Homes Leeds has established its own Tenancy Support Team.

3.1.2 Most recently, in 2008, Environments and Neighbourhoods Scrutiny Board undertook an enquiry into the Lettings policy. The Executive Board agreed a number of recommendations including:

- to strengthen the process
- greater identity checks at the offer stage, and
- that all new and joint tenants are photographed when they sign their tenancy agreement. This enables ALMO/ BITMO staff to identify the tenant at a later date and reduce the occurrence of subletting.

3.1.3 Despite all of these initiatives and improvements, there continues to be concern about the allocation of properties to customers with behavioural problems, as well as a perception of unfairness in the manner in which properties are allocated.

## 3.2 Current Picture

3.2.1 There is considerably more demand for Council properties than lettings made. An important context to the lettings debate is reduced number of lettings hit a low of 4652 in 2008/9. In quarter 4 of 2008/9, 12,371 people bid for 1,345 properties. Demand has also increased: on average the number of bids that customers place is

now 10.26 a quarter, almost twice as many as in 2003. In addition, waiting times have increased to an average of 7.5 months for those in Priority Extra; 8.5 for those in Priority, and 2.25 years for those on general bands. Furthermore Leeds has seen a steady increase in the number of customers in high housing need being rehoused. In 2008/09, 80% of all lettings were made to customers in high housing need (those in the priority bands or through a direct let). The two main step changes occurred in 2006/7 when general needs lettings dropped from 30% of all lettings to 20%, where it has remained stable for the last couple of years, and in 2004/5 when the number of general needs cases dropped from 40% to 30%, as the Council worked with ALMOs to ensure that those in housing need were rehoused, particularly those who were homeless.

- 3.2.2 A further refined lettings policy will not produce more properties to let but rather ensure that lettings are made more fairly. The Council has taken a number of steps to increase the supply of affordable homes in the city, such as through the affordable housing programme. A resume of key initiatives being taken by the Council is contained in a separate report on this agenda.
- 3.2.3 Over and above the restrictions on supply, there have been changes to the Lettings policy which have focused on meeting housing needs more effectively. Examples of changes which impact upon the availability of property for customers in the General Needs band are:
- that despite the economic situation, the use of temporary housing is low due to the prevention of homelessness
  - close work has been undertaken with Children and Young People's Social Care to ensure 'looked after children' can be found accommodation.
  - The policy promotes the move-on from Supporting People accommodation to free up such supported accommodation for others requiring it.
- 3.2.4 The fact that a customer is in housing need does not in itself indicate they have other needs or will necessarily present as being more problematic. Moreover, a large proportion of customers in priority bands will not require any support other than their immediate housing issue. Such customers may include a working family who are evicted on non-fault grounds from a private rented property, or a customer moving from a regeneration area.
- 3.2.5 That said, it is recognised that the Council does rehouse specific groups of customers who are vulnerable, and prone to lead chaotic lifestyles resulting in complex housing needs. Such groups may include care leavers, prison leavers or young people who have not lived independently before. Although the Council does not house all people with such backgrounds, a large number are rehoused by the Council and housing associations. If these customer groups were not rehoused by social landlords, then they would have to be housed in the private rented sector, where support or close partnership working with landlords is not as readily available, potentially leading to greater disruption in the community.
- 3.2.6 A further perception, not expressed in Council, but nevertheless prevalent, is that residents of Leeds are bypassed in favour of new entrants to the country. In fact the authority cannot, by law, offer tenancies to those in the asylum process but only to those with refugee status. Last year the Council made 137 lettings to refugees. Less than a hundred lettings were made to citizens of European accession status,

who to qualify must have worked in the country for more than a year. There are clearly misunderstandings here which need to be addressed.

What is true, however, is that demography of Leeds and with it the composition of tenants, is changing. The BME population of the city rose up from 10.89% to 15% between 2001 and 2006. Given the disproportionate numbers of BME residents in housing needs, it is unsurprising that based on information returns from the ALMO's, 24.4% of lettings in 2008/9 were made to BME applicants. How we assist some communities to come to terms with greater diversity is not a matter for the lettings policy but a more significant challenge to the city as a whole.

- 3.2.7 All of these issues can and do lead to a perception of unfairness. This is especially the case when there is a shortage of supply and strong demand from local people and their families with less high housing need.
- 3.2.8 It is clear that, despite the improvements made to Leeds' policy and its associated procedures, more needs to be done, both to address the destabilisation of communities and to reduce the perception of unfairness.
- 3.2.9 Future changes to the lettings policy need to be based upon a more integrated process from the housing application stage through the lettings process to housing management. Each of these stages will be explored in more detail.

### Proposals

#### 3.3 Housing Application stage

- 3.3.1 One of the key issues is to ensure that accurate and full information is gathered on every applicant. The Leeds Homes membership form gathers a lot of information on the customers housing needs. ALMO/ BITMO staff are expected to assess whether the customer is eligible to go on the Leeds Homes register due to their immigration status or due to their behaviour, and then either refer to a specialist team or directly undertake a housing need assessment if required. However, it is recognised that, as many of these processes have been paper based, there is inconsistency in their application, and the storing of the information collected. A new IT system, Orchard's ArcHouse Plus is being introduced this autumn, which will not only greatly improve the process but provide more detailed monitoring information.
- 3.3.2 Recent investigations into perpetrators of anti social behaviour within "hot spots" in the city and its surrounding villages have found that not all information about potential tenants, their family and friends is known to the Council. It was never intended to make offers to customers without considering any additional information to make sure an appropriate and sustainable let is made. The Police have access to much more detailed information. Therefore, officers will develop closer working relationships for ALMOs/ BITMO with Police Community Safety Link officers, using s155 Crime and Disorder Act powers on sharing information. This will enable those staff making lettings to have access to Police held information on both prospective and current tenants. It is further suggested that we will review the information that we ask applicants to disclose and investigate the possibility of more stringent suitability tests being introduced in "hot spot" areas.
- 3.3.3 If the customer seeks assistance from the Leeds Housing Options service, a Personal Housing Plan is completed. This plan comprehensively documents vulnerability issues and develops a risk assessment that housing providers should

use. The plan is currently paper based and ALMOs may not use this information consistently. New workflow software is currently being developed which will be implemented in 2010, to ensure that ALMOs/ BITMO can view information on those that have been assessed at Leeds Housing Options centre electronically. However, it is considered good practice to develop a personal housing plan for all customers that have housing need assessments, placing them in either Priority Extra or Priority bands. If an information sharing protocol can be developed with the Police, the personal housing plan could be updated with this information.

- 3.3.4 In summary, the Council is developing its computer systems to ensure greater consistency and monitoring; will develop closer working relationships with the Police to gather appropriate information at the housing application stage; ensure that current powers are fully used; and develop a personal housing plan that will be used by the lettings officer to assess whether a letting should be made, and assist referral to a specialist support agency.

### 3.4 Making the letting

- 3.4.1 If the current trend continues without a sizeable increase in stock, almost all lettings will be made to those from the priority housing need bands in a few years time. One suggestion for changing the lettings policy is to introduce a system whereby a percentage of properties are earmarked to give preference to customers from the General Needs band.

- 3.4.2 Recent case law<sup>1</sup> determined by the House of Lords concerning Newham Council's lettings policy suggests that local authorities have greater freedom than anticipated in determining how they formulate their policies. Lettings policies still need to reflect need. However, the courts are reluctant to intervene in a Council's lettings policy unless the policy is clearly irrational.

- 3.4.3 If a change were made to move to a quota system in Leeds, more customers who were not in housing need could be rehoused. Such a system may be of benefit in property types such as flats where a more sustainable mix may be achieved. However, before such a system is implemented, careful consideration of the practicalities, together with advice from Legal Services, would be needed on how it is implemented and monitored to ensure that the Council fulfills its statutory obligations to customers in housing need. In particular, the Council will wish to guard against changes which increase reliance upon temporary accommodation.

- 3.4.4 Officers however, will explore solutions to ensure that an appropriate balance of lettings can be made from those not in substantial housing need, to ensure that Council estates are balanced communities. This review will consider whether quota can be implemented in certain areas or property types in the city.

### 3.5 Perception of Fairness

- 3.5.1 The lettings policy must meet the Council's legal duties. The Council is required to give preference to the statutory 'reasonable preference' groups which are: people who are homeless; have medical housing needs; are living in insanitary conditions; and those with other social or welfare housing needs. The degree of urgency is

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<sup>1</sup> R (Ahmad) v Newham LBC [2009] UKHL 14

reflected in the award of Priority for non-urgent needs or Priority Extra for urgent needs.

- 3.5.2 However, there is a perception amongst customers that this makes the Lettings policy unfair. This is particularly the case where long standing tenants have grown up children still living at home who are not considered by the Lettings policy to be in as great a housing need as other customers. These families perceive that they have significant housing needs and a right that they should be rehoused in an area where they have strong family support ties, but see others with few, if any local connections to an area but with higher needs being rehoused. Under present arrangements, the authority is under an obligation to adequately house people to whom it is allocating a property, whilst there remain inadequately housed tenants in lower priority within its own stock. This too, leads to a perception of unfairness. A change of legislation would be required, however to enable new entrants to Council stock to be offered less space than their full requirements
- 3.5.3 This perception can be exacerbated in areas of acute shortage of stock or areas of high demand such as many of the areas outside of the outer ring road. To respond to this in Wetherby, Kippax and Garforth, local lettings policies were developed for family housing where, based on housing need, a person with a local connection would be given preference. It may be that further use of this type of arrangement could help in other areas.
- 3.5.4 In the Governments policy document 'Building Britain's Future' published on 29 June 2009, it is proposed that 'new flexibilities' will be given to local authorities in response to the perception that the current Lettings system is unfair. This would involve changing "the current rules for allocating Council and other social housing, enabling local authorities to give more priority to local people and those who have spent a long time on a waiting list"<sup>2</sup> More precise detail on the exact powers available to local authorities on how to amend their Lettings policy will be produced in late July, with possible changes to primary legislation.
- 3.5.5 The lettings policy does rehouse Council tenants based upon their housing need, although Council tenants are not given additional preference over other customer groups. In 2008/9, 1087, or 23% of all lettings, were made to transfers. This proportion has remained stable over the past 5 years. If tenants were to be given greater preference for similar types of housing, then there would be additional costs associated with empty home repair costs, but may improve perception of fairness.
- 3.5.6 The Lettings policy must balance the legal requirements whilst satisfying the needs of the current tenant base, to create sustainable communities within the context of very limited supply.

## 3.6 Tenancy management

- 3.6.1 Given the current mix of lettings with customers in high housing need, it is important that the style of housing management reflects this mix. Housing management providers such as ALMOs and TMOs need to ensure that their skill sets are person centered, and work more closely with households. At the application stage customers declare whether they have any support needs, and who their support worker/agency is. It is essential that the information collected at this stage is

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<sup>2</sup> Building Britain's Future, 29 June 2009 HM Government

comprehensive, to allow officers within the ALMO's and BITMO to perform their tenancy management duties.

- 3.6.2 This has begun in Leeds, with greater support being offered to applicants seeking rehousing. Customer profiling exercises are being undertaken so that ALMOs/BITMO can tailor their services to meet the individual needs of their customers. However, more work needs to be undertaken to ensure that people are at the heart of this approach. In this context, the ALMOs and BITMO need to provide a greater range of support, either directly or through commissioned services and work in partnership with other Council departments, and the statutory and voluntary sector.
- 3.6.3 In the 2008 STATUS survey, only 37% of tenants stated they were satisfied with the support provided to vulnerable tenants. The Lettings process has begun to identify support needs of a customer, and actions are being taken to improve the support offered.
- 3.6.4 The Council, through the Supporting People Partnership, commissions 35 services to provide housing related floating support to enable residents to live independently. Council tenants access half, that is, 600 of the support places available. The support providers take referrals from ALMOs, Housing Associations and private landlords. These support providers are vital to enable customers to live independently in Council accommodation.
- 3.6.5 It is essential that these procedures work effectively and that ALMOs and BITMO organise themselves to provide maximum support through their tenancy management processes. For example West North West Homes Leeds (WNWhL) has, since March 2008, developed a Tenancy Support team to act as a conduit to ensure that customers, both on the housing register and in the tenancies that they manage, can be referred to a support provider. In the first six months of operation, the team had 272 customers referred to them, of which 189 became active cases enabling 34 additional support packages to be created. Many of WNWhL tenants facing enforcement action have been referred to the team prior to any possession action going ahead. In addition, East North East Leeds has recently established an Independent Living Team based on a similar model to WNWhL.
- 3.6.6 However, additional support is needed for Council tenants. The Supporting People Partnership will consider whether it can provide a specific support service per ALMO area. In addition, ALMOs will consider whether the model adopted by West North West homes should be replicated in their areas, or whether ALMOs should provide more direct support to their customers.
- 3.6.7 Maintaining contact with tenants is crucial, not only to ensure that support needs are properly identified, but also to ensure that properties are correctly occupied. At present, not all tenants are routinely visited throughout the life of a tenancy. Corporate Governance and Audit Committee have recently enquired into the potential for "phantom tenancies" within Leeds. As a result of this the Council is in the process of agreeing that the ALMOs and BITMO are required to visit all their tenants, on a routine basis, not only as part of developing the landlord tenant relationship, but also to ensure that the tenant is not sub letting the property.



- 3.6.8 In 2002, the Council implemented Introductory Tenancies. All new tenants who have not previously lived in a Council or housing association home are granted an introductory tenancy for the first 12 months of the tenancy. This type of tenancy gives customers fewer rights than a secure tenancy, and enables the Council to take possession action through the courts more quickly than for secure tenants. The 2004 Housing Act introduced the option for the Council to extend an introductory tenancy in certain circumstances for 6 months. This act also introduced the ability for the Council to seek a Demoted Tenancy through the court. Demoted tenancies give tenants similar rights to Introductory tenants, and enable easier possession if they are breached.
- 3.6.9 There are many tools available for the Council and ALMOs/ BITMO to work in parallel, both to prevent further antisocial behaviour whilst taking enforcement action where appropriate. For each case the Council will determine an appropriate strategy. Prevention measures include mediation, Acceptable Behaviour Contracts, Parenting Orders Warnings such as Anti social Behaviour warnings. Enforcement measures include anti social behaviour orders, injunctions, possession ASB Closure orders.
- 3.6.10 Most possession orders are sought for rent arrears, as it is easier to demonstrate a breach for this than for anti social behaviour, where often witness are required in court. However, within rent arrears cases, anti social behaviour may also be cited. In 2008/9 there were 188 possession orders granted, 3 introductory tenants were evicted, and 4 secure tenancies were demoted.
- 3.6.11 The Council's Anti Social Behaviour Unit work in close partnership with the ALMOs. The Council supports ALMOs in both case management and training. A recent example has been where the Council seconded an officer to work in BITMO for a couple of months to assist them develop their processes. This pilot was considered very effective, and further joint work is planned. ALMOs have deployed their own models to tackle anti social behaviour, as they manage cases until enforcement action is required, when it is passed to the Council's team. To improve case management, ALMOs implemented a new IT system in 2008. Nevertheless, it is accepted that a closer working relationship is needed with all ALMOs to develop greater consistency in the process for both perpetrators and victims of anti social behaviour. Furthermore, it is recognised that the ALMOs need to intervene in antisocial behaviour cases earlier. This will be supported through greater partnership working with the Police at the housing application stage, as stated in 5.3.
- 3.6.12 In summary, ALMOs / BIMTO need to reconfigure their services to become further customer centered. In particular, the Council, through the Supporting People Partnership, needs to commission a greater amount of support to vulnerable customers, whilst ALMOs/ BITMO need to deploy their resources to maximise the benefits of this support, and consider how they may complement it. To improve the management of anti social behaviour, the Council will further develop its procedures with ALMOs to gain greater consistency.
- 3.7 Principles for lettings to new affordable housing schemes
- 3.7.1 The Leeds Affordable Housing Strategic Partnership, created in 2007, aims to deliver 375 affordable housing units per year including new Council homes. Most of affordable homes will be owned and managed by a housing association, with a small number of Council owned homes. The legal contract for the housing association owned homes enables the Council to provide 100% of the nominations for the initial

let and 75% of lets thereafter. In addition, EASEL is creating further mixed tenure developments.

3.7.2 It is essential that the new affordable housing schemes have appropriate letting plans to ensure that sustainable communities can be built and maintained. A new framework for lettings has been developed, which will involve creating a Local Lettings Plan for each new scheme. This would ensure that the local housing needs for the scheme are considered. Ward members will be consulted during the development of each Local Lettings Plan.

3.7.3 It will be important to maintain a level of nominees that is proportional and balanced against the Council's legal duty to give preference to customers in housing need. This can still be achieved for the new mixed tenure developments and the key elements of a Local Lettings plan will, dependent upon local circumstances, include the following additional elements to ensure a proportion of lettings are made:

- to decant tenants from existing properties where there are opportunities for downsizing or to give tenants with excellent tenancy records the opportunity to move in to new properties
- to customers with a local connection, based upon their housing need, particularly people dispersed from clearance areas such as EASEL or where supply of affordable housing is severely limited for the local community.
- to customers in a severely overcrowded situation. This will enable tenants who have bedrooms to release for larger families, or who are in urgent need of larger accommodation, to be given preference.
- to customers in employment or with a track record of employment and training
- to customers in the 'General Needs' band

3.7.4 The Council will also require housing associations 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 and to help deliver a 'one Council' approach.

- 3.7.5 The first Local Lettings Plan has been developed for the EASEL scheme. Twenty houses (a mix of 2 and 3 bedroom properties) on EASEL phase 1 site will be built for social and intermediate rent. These homes will be managed by East North East homes. The Local Lettings plan covers ten properties on the Oaks in Gipton and a further ten properties on Parkside in Seacroft. The properties will be managed by East North East Homes. The LLP will give preference to key workers (including those who are on training or apprenticeships) and those who are in employment who have been living in the EASEL area for twelve months or more or have close family living in the EASEL area. The introduction of the LLP will support the overarching ethos of EASEL which is to develop sustainable mixed income and mixed tenure communities. Further details of the plan are included in annexe 1.
- 3.8.6 In summary a local lettings plan will be developed for each new development. This has begun with the EASEL development. Members will be consulted on each plan. The plans will enable those decanted from the site, people with a local connection, and certain current tenant groups, as well as those in employment/ training to be considered.

#### **4.0 Implications for Council policy and governance**

- 4.1 In light of this report, further work is required to revise elements of the lettings policy.

#### **5.0 Legal and resource implications**

- 5.1 The freedom of local authorities in designing their allocation scheme is limited by the legal requirements of the Housing Act 1996, as amended by the Homelessness Act 2002. The Council must ensure it meets its legal obligations. Failure to abide by the legislative requirements would result in adverse publicity for example, through customer complaints, Ombudsman enquiries, Audit Commission inspections or Judicial Review of the lettings policy.
- 5.2 There is likely to be resource implications linked to some of the proposals within this report. Closer management of tenancies will mean a review of the way in which the Council, the ALMOs and BITMO deploy their resources.
- 5.3 Legal advice will also be required on many of the proposals to ensure that the Council is still meeting its legal obligations and can be secure from challenge.

#### **6.0 Conclusions**

- 6.1 This report contains a number of individual proposals to improve the management and allocation of tenancies. It is important that these proposals are seen as a holistic approach that begins at application, and moves through lettings policy to tenancy management. Unless all three areas are improved there will be no overall long term improvement.
- 6.2 A number of the proposals, including greater sharing of information with the Police, more intensive management in "hot spot" areas, and the development of quotas and possible additional preference for those have conducted their tenancy to a high

standard will require careful development to ensure that the Council is free from legal challenge.

- 6.3 Whilst there are proposals in this report for improvement, the Council must ensure that, together with the ALMOs and BITMO, it makes fullest use of its existing powers and procedures.
- 6.4 The government have recently announced proposed changes to whom the Council may give preference for rehousing by giving more priority to local people and those who have spent a long time on a waiting list. Further detail possibly including new legislation or guidance is expected from the government in late July. Officers will revise the Lettings policy to reflect such changes and bring a revised policy to Executive Board for approval.
- 6.5 The management of the Lettings policy creates a tension, balancing the meeting of housing need, ensuring that there are sustainable communities and demonstrating fairness within the legal requirements. This tension will always exist when there is greater demand than supply and can only be mitigated through an effective policy. Nevertheless, there is a clear desire to improve both policies and practices to address current shortcomings.

## **7.0 Recommendations**

- 7.1 The Executive Board endorses the proposals as set out in this report and sees them as part of a broader approach from application stage, through lettings, to tenancy management.
- 7.2 The Executive Board recommends that the Director of Environment and Neighbourhoods , together with the Council's Assistant Chief Executive (Corporate Governance), the ALMOs and BITMO, develop the proposals within this report into recommendations for change incorporated into a revised lettings policy and guidance.
- 7.3 The Executive Board agrees that the proposals are consulted upon with a view to a revised policy being prepared by January 2010.

## **Background Papers**

Lettings Policy