

Report of Chief Officer, Housing Management

Report to Housing Advisory Board

Date: 10th November 2015

Subject: Effective Housing Management & Lettings Policies

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input checked="" type="checkbox"/> Yes	<input 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

Housing Leeds' ambition is to create great places people want to live in and where tenants take pride in their homes and communities. Council homes are let under the council's lettings policy, supported by local lettings policies which operate in specific areas and property types.

The council has a moral and legal duty to meet the requirements of those in housing need. It also has an obligation to ensure that existing tenants lives are not disrupted by anti-social behaviour and a broader ambition to build sustainable communities. Balancing individual housing and support needs with community impacts is not straight forward as some of those in greatest need may also impact on the lives of neighbours and the functioning of the community. The development of Local Lettings Policies was an attempt to minimise the impacts of lifestyle clashes, and as they developed in a demand led manner it has led to inconsistent approaches across the City. An example, exacerbated by changes in housing demand, there are now nine age bands being used, as reductions in age criteria have been implemented to enable lettings.

The proposals set out in this report aim to build on the positive outcomes achieved through local lettings policies and build a coherent and easily understood approach for the City as a whole.

This paper aims to establish the key principles for consultation on which we will base the Local Lettings Policy's to create balanced communities and meet housing needs and a clear, transparent and understood approach on which to move forward. In putting forward the policies, however, it is recognised that there are no perfect answers from changes to the lettings policy. The Council will have to continue to meet the needs of those who present challenges to others through their lifestyle. Progress is therefore also required through the development of strong housing management and appropriate housing support.

In March 2014 Housing & Regeneration Scrutiny Board tasked Housing Leeds with improving consistency in the operation of local lettings policies across the city and developing alternatives to age related restrictions.

Executive Board agreed in June 2014 to prioritise council tenants with an excellent tenancy record to access new build homes delivered through the Council's Housing Growth Programme; establishing a principle for the new approach to developing 'community lettings policies'.

Reviewing the systems for letting council homes has identified the need for new approaches for housing management, tenancy policy proposals and development of new community based approaches to lettings.

Recommendations

Housing Advisory Board provide advice on the proposed approach to housing management and tenancy policy. The Housing Advisory Board is also asked to comment on the key principles for developing community lettings policies which builds on the success of the new lettings criteria used for new build homes delivered through the Council's Housing Growth Programme.

The feedback from Housing Advisory Board will inform the report to Environment & Housing Scrutiny Board and Executive Board in November & December respectively.

1 Purpose of this report

- 1.1 The purpose of this report is to consult Housing Advisory Board on new approaches to housing management and the key principles for local lettings policies.

2 Background information

- 2.1 Allocation of council homes is governed by the Lettings Policy to ensure that available homes are let in accordance with the law and in an equitable, transparent and accountable way. The Lettings Policy contributes to the Council being able to fulfil its legal duties relating to meeting housing need, but needs to ensure the outcomes contribute to the delivery of sustainable communities and making Leeds the best city to live. Effective management of council housing in the City needs to balance meeting individual needs with the needs of the communities to ensure sustainable communities.
- 2.2 The **Housing Management** structure has been developed to ensure clear accountability and responsibility for Area Housing Management through local leadership and dedicated Housing Managers. A holistic customer approach to service delivery has been developed with Housing Officers accountable for the relationship with the tenant, and delivering services including assessment of prospective tenants, appropriate lettings and the delivery of comprehensive housing management services. Amendments to operational lettings and tenancy management practice, the proposed new initiatives including pre-tenancy training, development and delivery of new housing pathways and case conferencing for people who require support and a review of the local lettings policies all contribute to the aim of creating sustainable communities.
- 2.3 The **overall framework for letting council homes** is set out in the main lettings policy, supported by local lettings policies which reflect local issues and needs. The lettings policy is integral to the council's overall approach to delivering a customer-focussed, people-centred proactive housing management service.
- 2.4 The lettings framework is based on the council's legal duties set out under the Housing Act 1996 of meeting housing needs as well as meeting the aspirations of tenants and residents. In order to balance the needs of households in housing need with those local communities, the council lets 75% of properties based on housing need and 25% to households who have been on the waiting list the longest with a connection to the area.
- 2.5 Currently there are 24,118 (30/09/15) households on the housing register, approximately 24% (5,700) of customers have identified housing needs (Band A & B) and 76% are registered on waiting time, these households have no identified housing need, but have expressed a preference to be rehoused by the council. Of the 24,118 households on the housing register 5,972 (25%) are council tenants who have expressed a preference to move. Over 11,000 households (45%) on the housing register have not bid for a home in the last 12 months. In 2014/15 75% were let to people in housing need and 25% to people with no identified needs on the basis of waiting time.
- 2.6 Demand for council housing outstrips supply. The average waiting time for households who were rehoused in 2014/15 was 48 weeks across all areas of the city, property types and sizes. Approximately 4,500 -5,000 homes are allocated per year.
- 2.7 The proportion of lettings made to existing council tenants has decreased from 25% in 2013/14 to 19% in 2014/15. The number of mutual exchanges where social housing tenants can swap homes decreased to 390, a decrease of 195 from 2013/14. In order to achieve a holistic and

comprehensive offer to tenants, the principles of rewarding tenants and residents who abide by their tenancy agreement will be applied to future reviews of the council's tenancy agreement and overarching lettings policy.

- 2.8 Consideration needs to be given to the development of a separate transfer list as permitted under the Localism Act 2012 which rewards excellent tenancy records and a recognition in the lettings policy of the contribution made by tenants and residents for example through employment or volunteering.
- 2.9 Local lettings policies apply to approximately 1 in 5 properties across the city. The majority are based on age, but others relate to employment status, behaviour and local connection.
- 2.10 In March 2014 Housing & Regeneration Scrutiny Board made the following recommendations for the council in reviewing the current local lettings policies:
- Rationalisation of age restrictions to improve consistency across the city
 - Introducing pre-tenancy training for prospective tenants
 - Developing the use of evidence based LLPs to address behaviour issues such as antisocial behaviour
 - Reviewing the use of Introductory Tenancy extensions and Secure Tenancy demotions.
- 2.11 In reviewing housing management practices and the lettings policies we have the opportunity to develop a new approach to support the best council objectives and priorities and contribute to the breakthrough projects.

3 Main issues

- 3.1 Housing Management Practice A holistic approach to housing management and lettings is necessary to ensure effective housing solutions for people in sustainable communities. The Housing Management Service has developed a range of operational practices to improve the quality of housing management including, quality assessment of applicants including consideration of conduct in previous tenancies, accompanied viewings, a fundamental review of the sign up process, introduction of new tenancy visits, a review of the use and consistent approach of Introductory tenancies and annual home visits to ensure proactive and preventative approaches are employed with the aim of early intervention and improved sustainability of tenancies and communities.
- 3.2 Lettings and Tenancy Management Practice. It is critical that we strengthen the way in which we carry out lettings and tenancy management to ensure that tenants are housed successfully into communities, and ensure this practice is robust across all housing stock.

The council's lettings framework takes behaviour into account in a number of ways including:

- making checks on previous conduct when an applicant joins the housing waiting list
- removing people from the waiting list in serious cases of antisocial behaviour, or reducing their preference on the waiting list
- bypassing the top ranked customer for offers of accommodation on the basis of their previous behaviour, for example, a tenant would not be rehoused in the area where they had perpetrated antisocial behaviour
- making 'sensitive lets' of properties where the previous tenant was evicted for antisocial behaviour, to ensure the letting is made to a customer without a history of causing antisocial behaviour.

The appropriate response will depend on the individual circumstances taking into account whether the behaviour is still on-going and the impact rehousing will have on the locality. Applicants are offered introductory (probationary) tenancy unless they were already a secure tenant, in which case they would be offered another secure tenancy.

The council has powers to demote secure tenancies and extend the introductory tenancy period if the tenant breaches the tenancy agreement. In some cases where a household is facing eviction other interventions may be considered, for example, a Family Intervention Tenancy which requires them to agree to an intensive support package aimed at improving their behaviour. The application and consistent approach of these processes and procedures are being reviewed to ensure high challenge and support is delivered consistently

- 3.3 Good tenancy record Application of a process for assessing good tenancy records has been trialled within the Local Lettings Policy (LLP) for new build homes. The LLPs give preference for lettings to tenants who have demonstrated they have conducted their tenancy well in terms of having a clear rent account, no record of antisocial behaviour and maintaining their property inside and out to a high standard. Under the new build LLP, the council made a commitment to visit all potential tenants at home before an offer is made.

There are resource implications involved in undertaking the home visits and potential for increased relet times, however, this is balanced against ensuring new tenants have conducted their previous tenancy well. This approach gives a clear message that the council will reward applicants and existing tenants who conduct their tenancy well and promotes a preventative approach and saves resources by reducing void costs on released properties.

The aim is to expand this practice to all lettings and incorporate an assessment of current tenants' tenancy record and recommendation for transfer within the Annual Home Visit process.

- 3.4 Transfer Policy. In order to recognise and reward our existing tenants it is proposed that a specific transfer system be introduced into the lettings framework. Offering additional priority to existing tenants will not reduce the number of homes available to people in housing need; however it will increase costs as essentially for every transfer of an existing tenant you will have two empty homes (voids) . In developing an effective priority for existing customer you can incentivise and reward tenants with good tenancy records and you can create a housing ladder within the council housing stock. This approach needs to recognise that some council homes are more sought after and in higher demand. In addition it can ensure that new / existing tenants are not trapped in homes that don't meet their needs or expectations and enable a better use of stock to tackle issues of under-occupation / overcrowding.

- 3.5 It is recognised that not all applicants will have previous tenancies and that some households will have had failed tenancies, however the Council retains a duty to secure housing, in these cases it is proposed to deliver Pre-tenancy training.

Pre-tenancy training is widely provided by social housing services to help support and prepare applicants for living in rented accommodation before they are offered a property. This was initially intended in preparing young people to live independently for the first time covering such things as budgeting skills and what is meant by being a good neighbour. The outcomes have been successful in terms of sustaining tenancies and the model has been expanded to include other applicants who require support and guidance for running a home and conducting a good tenancy.

The programme would include sessions on how to maintain a tenancy successfully, why tenancies fail, rent payment and budgeting, community responsibilities, how to find a home and employment.

Giving preference to people who have completed Pre-tenancy training gives prospective tenants the opportunity to demonstrate their commitment to taking on the responsibility of becoming a council tenant.

The options for implementation of are:

- Implement good tenancy record or Pre tenancy training for all lettings
- Implement for lettings to people in high rise/other specified property types
- Implement on a phased approach running a pilot for specific blocks with a view to rolling out city-wide in the longer term.

3.6 Case Conferencing Over the last 12 months a partnership approach between Housing and Children's Services has had successes in accommodating young people leaving care, either with a stay put or a planned move approach. Historically, applicants have been placed in independent living in LCC and other properties which often resulted in tenancy failure and disruption within communities. The case conferencing approach introduced an approach of looking at the young person and their individual needs and putting the appropriate support in place at the earliest stage. This has proved very effective, although it is resource intensive. There is also an opportunity to look at the provision of trainer homes. The proposal is to expand the case conferencing approach for rehousing applicants and/or supporting tenancies.

Options for implementation of are:

- To expand the case conferencing approach for rehousing and/or supporting care leavers 16 – 25years old, to reflect recent changes within the Care Act.
- To expand the case conferencing approach for all applicants identified as requiring support and for vulnerable tenants where tenancies are found to be at risk.

3.7 Housing Pathways The success of the approach for the Housing and Children's Operational meeting has been used as a catalyst for the development of a housing pathways model which places individuals and their needs at the heart of the process and provides intervention and the provision of support, at the earliest possible stage. The Housing pathways model is a cross service development and initiatives to progress this further are included in service plans 2015/16 for Housing Leeds, C&YP services and Community Safety. Initial work has commenced with Adult Social Care to develop Housing Pathways for Vulnerable People to ensure housing, support and care lead support independent living.

3.8 Sheltered housing is designed to meet the needs of older people through the provision of sheltered housing support. The council currently operates a policy of letting sheltered homes to people aged 60 years and over, although housing associations let to people age 55 years and over. The provision of sheltered housing needs to be considered within the context of the whole housing market, availability of alternative housing offers and the aging population. Demand patterns for sheltered housing are very dependent on other housing available in local communities. The council manages some sheltered properties which have seen a fall in demand, mainly in upper floor flats which do not have lift access. A small number of flats in the east and south of the city have been reclassified as general needs accommodation and successfully let to people age 55 years old and over.

The option is to retain a clear age policy or move to a needs based approach to the allocation of sheltered housing where health and support needs in addition to the age profile are assessed to ensure effective housing and support services are delivered to older people. This approach could enable a tailored service design and direct the investment decisions to ensure the accommodation and the service are designed to meet tenant's needs and ensure the environment is adapted for

limiting illness and mobility. In developing options an overall consideration of housing for older people in general needs to be developed alongside a needs based approach to sheltered housing.

3.9 Age designations. There are 56,832 LCC properties across the city, 19,508 of these are flats and bedsits. 7,469 of the flats and bedsits currently have an age related LLP which represents 38% of this stock type. There are 148 LLPs in Leeds (this excludes the new build) covering 10,049 properties the majority of which are age related with 9 different age band criteria across the city. 7,032 properties in high rise blocks are let under an LLP.

In the main, age-related LLPs operate in low and high rise flats which were historically introduced to overcome potential lifestyle clashes in property types with poor sound insulation and in response to tenant preferences.

Appendix 1 gives the ward profiles showing the total number of LCC stock in the area, the number of flats and bedsits and the number of those which have LLPs based on age. This provides a clear position where current age related policies are concentrated and where they prevent access to housing. 13 wards have above the city average of age related LLPs. However, the disparities are striking when we compare further, for example, of the 843 flats in Bramley and Stanningley 617 which is 73%, have an age related LLP whereas in Hyde Park there are no age restrictions on any of the 1,126 flats. The table highlights the inconsistencies across the city and shows the limitations of access to housing for younger people in some of the wards.

The majority of these LLPs have been in place for many years and whilst they have been periodically reviewed, there has been little or in some cases, no change. There are a number of issues in operating LLPs within communities:

- There is potential for legal challenge due to changes in equalities legislation
- They make the judgement that tenancy behaviour is linked to age
- They restrict housing opportunities to younger people in some communities and result in concentrations in other areas

The development of the nine different age bands has occurred in an iterative way to tackle issues of low demand for certain property types and this has often led to 5 year age reductions. It is essential to simplify to a clear and consistent approach of bands which are understood and can be implemented; the proposal is for a maximum of three age / lifestyle related bands.

The recent introduction of LLPs for the new build properties to date have not included any age related criteria. The LLPs give preference for lettings to tenants who have demonstrated they have conducted their tenancy well in terms of having a clear rent account, no record of antisocial behaviour and maintaining their property inside and out to a high standard.

It is accepted that it may be appropriate in some circumstances for some homes to be designated for particular needs and / or age ranges, where the management of the block is tailored to meet the particular needs e.g. flats adjoining sheltered schemes which could be promoted as older persons housing with links to the sheltered scheme.

The vision for Housing Leeds is to review all of the current age related LLPs in their current form and place a greater focus will be put on strengthening processes linked to lettings and tenancy management to achieve harmonious communities. The review process will support the retention successful designations to ensure the stability of existing communities.

The High Rise Project will explore options further for the designation of particular blocks and make recommendations on a block by block basis.

A process and programme of reviews will be published, this will include full local tenant and ward member consultation on each existing LLP.

3.10 Local connection based on residence, family associations and employment is used as a deciding factor. The ward profiles give data showing the lack of affordable properties in the area which supports the restriction of lettings beyond local connection.

The housing waiting list is open to all, regardless of residence and local connection. However, only customers who can establish a local connection to the city of Leeds can be awarded Band A or Band B priority on the waiting list. 75% council properties are advertised giving preference based on housing need band. A customer without a local connection to Leeds would only be offered housing if no other customers are eligible.

The remaining 25% properties are advertised based on waiting time on the housing waiting list, and customers must be able to establish a connection to the ward. The priority band of the customer is not taken into account when making allocations through the quota.

The waiting time quota was introduced in 2011 to address concerns that the lettings policy was unfair to customers who had been on the housing register for a long time who felt they had little hope of being rehoused ahead of customers in housing need. The waiting time quota aims to improve community cohesion by increasing opportunities for customers with a local connection and with a long standing housing application to be rehoused. The quota system offers another route into housing and will assist people before their housing situation becomes so urgent that they warrant a priority award. Under the policy a customer in high housing need would not receive preference to move to or remain in an area they had a connection to, without the use of a local connection LLP.

As well as the 25% quota of all lettings in every ward being allocated to households who demonstrate a local connection, additional criteria operate for lettings of houses in some outer areas of the city – Wetherby, Garforth, Kippax and Rothwell, where there is high demand and little affordable housing. However, they do not apply in other areas of high demand. The proposal is to develop formulae based on demand and turnover which would be applied across the City.

3.11 High Rise housing is a substantial part of Council Housing in Leeds, with over 7500 households in 116 blocks across the city. Housing Leeds faces a number of challenges linked to high rise flats, including high investment need, energy efficiency, community safety, under-occupation, communal and grounds maintenance, day to day management issues and refuse and recycling.

The Housing Management Service has commenced a complete review of the management of high rise flats in the City to address these challenges and ensure they are positive places to live. Tenant satisfaction rates in High rise flats varies significantly and management and lettings practices have led to a lack of consistency in approach including our approach to children at height.

High Rise blocks could be designated effectively for the following purposes:

- Sheltered Housing – there are a number of MSFs which house a high proportion of older tenants, and due to lack of sheltered housing supply within the local area and the layout, they lend themselves to conversion to sheltered housing.
- Child Friendly Blocks – where there is limited supply of housing in the local area, a block is identified as of a safe design and there is a high number of children already living in the block, it is proposed that the block may be designated as being child friendly and that enhancements are installed, e.g. additional window security, communal playground etc. A key principle for re-housing and existing families with children in high rise is to ensure they have the priority and opportunity to move.

- Blocks for Young People – with enhanced security, tenancy management and housing support offered to support young people to manage tenancies well and access training and employment, following some of the principles of the MSF DHP Project.
- Blocks which encourage employment – with consideration to having a different rent and management model.
- The use of flexible tenancies will be considered to deliver change and support sustainability of high rise communities to be approved with the individual block strategies. The profile and mix of people within blocks is essential to create mixed sustainable communities, this could include relocation for tenants where the type accommodation is inappropriate.

The main lettings policy gives preference for lettings of houses to people with primary care of dependent children ahead of households with part time access to children who are regularly housed in low and high rise flats. The high rise profiles have revealed that the number of children living in high rise flats is significant but varies depending on the blocks. Details of household composition are being recorded through the Annual Home Visits to improve our understanding.

The high rise project aims to deliver an overall vision and remit for each high rise block which will determine who lives in the blocks and the nature of the investment required.

It is proposed that a clear policy is developed for housing children at height, basing restrictions on rehousing households within flats on the following criteria:

- The construction type of the block meaning children should not be rehoused into a high rise block with open balconies or walkways, where there is a risk of falls
- Known issues with sound-proofing within blocks
- The number of children currently living in the block
- Availability of houses to let nearby.

It is proposed that there will be 2 main policies in place:

- Blocks which are identified as unsuitable for the rehousing of children under a specific age.
- Blocks which are identified as child friendly blocks - there is the opportunity for active development and investment by making external improvements to the blocks and surrounding areas, the provision of play areas for example.

3.12 New Build Homes delivered through the Council House Growth Programme including the homes delivered through the Little London, Beeston Hill and Holbeck Regeneration Programme have been subject to the development of LLP's. The LLPs balance priorities of meeting housing need and offering incentives to existing tenants who have conducted their tenancy well. None of the LLPs to date have included age as a criterion. The aim is to create stable and harmonious communities and evaluation to date demonstrates that the policy has been effective in identifying tenants who have conducted their tenancy well and that in the main they continue to do so in their new homes.

The proposal is to continue with community lettings policies for all new builds schemes and review annually following the first letting.

3.13 Other Criteria The council currently operates a 'Good Neighbour criteria' in four areas of the city where Housing and Community Safety have agreed the need to conduct checks on previous criminal and antisocial behaviour. The criteria seeks to address cases of family members being rehoused on the same estate where families have historical problems, for example, grown up

children being released from short term prison sentences being offered rehousing on the estate. Initial feedback suggests a number of positive outcomes including a reduction in reports of nuisance, but there is concern is that there may be displacement to other areas and further monitoring is required to confirm whether this is the case. Further monitoring of the impact of conducting checks on increased void times is also needed. It is proposed to review in light of the application of the new approach tenancy management annually.

Employment / Training At present 12 flats managed by the BITMO have a lettings policy giving preference to people in employment. This has been successful in assisting tenants in employment secure affordable housing. Employment preference received a very positive response in the consultation for the Beeston Hill and Holbeck properties, as did being in training for a keyworker profession. Providing affordable homes for low income households is a key element in supporting the council's objective of promoting sustainable and inclusive economic growth as well as reaching out to people priced out of the housing market. It is proposed that employment and training as a consideration is retained in developing approaches where an employment preference for lettings could benefit local employers, tenants and residents, including high rise flats located close to major employment centres. The use of employment as a preference group could help reduce the impact of changes to housing benefit rules which affect under occupying council tenants of working age.

The review gives an opportunity to develop other community lettings policies including:

- A protocol with Adult Social Care to let a small number of properties as joint tenancies to tenants nominated by ASC where onsite support is available.
- Giving preference to members of the Armed Forces. This preference has received a positive response in consultation for the new build properties and supports Housing Leeds' commitment to the Leeds Armed Forces Community Covenant

3.14 Key principles / recommendations for consultation.

- Incorporate an assessment of current tenant's tenancy record and recommendation for transfer within the Annual Home Visit process.
- Implement a transfer policy to ensure existing tenants are rewarded and that tenants are able to move to more suitable homes that meet their needs and aspirations
- Implement good tenancy record and pre tenancy training systems
- Expand the case conferencing approach for rehousing for all vulnerable applicants
- Sheltered Housing - move to a needs based approach to the allocation of sheltered housing where health and support needs in addition to the age profile are assessed to ensure effective housing and support services are delivered to older people.
- Review all of the current age related LLPs in their current form and move to simplified system with a maximum of 3 bands and place a greater focus on strengthening processes linked to lettings and tenancy management to achieve harmonious communities. The review will be linked to the High Rise Project and designation of nature of the blocks and target audiences.
- Develop a formula to apply a City wide approach to local connection requirements and establish criteria to assess areas where there is limited supply and affordability issues in outer areas on the basis of supply and affordability.

- A clear policy is developed for housing children at height, linking restrictions to construction type of the block, the number of children living in the block and availability of houses to let nearby.
- Continue with local lettings policies for all new builds schemes and review annually following the first letting.
- The use of employment as a preference group could help reduce the impact of changes to housing benefit rules which affect under occupying council tenants of working age.

3.15 Next Steps

Approve principles of standard and overall approach, full implementation plan at Executive Board in December 2015.

Review of principles to be considered by Environments & Housing Scrutiny Board November 2015

4 Corporate Considerations

4.1 Consultation and Engagement

4.1.1 The council will consult on proposals with tenants and residents, customers on the housing waiting list, partners including Registered Providers, Supported Housing providers and local Ward members.

4.1.2 A detailed consultation programme will be drawn up in conjunction with the Tenant and Community Involvement Service. Key milestones will include formal consultation with Housing Advisory Board and the High Rise Group.

4.1.3 The consultation process will include a specific consultation process with Children's Services to assess the impact of children at height and the need to balance housing need and rehousing options optimal housing environments.

4.1.4 The consultation process will include a specific consultation process with Adult Social Care to ensure synergy between access to older people's housing, sheltered housing and extra care and ensure that this is linked to support & health needs

4.1.5 In order to ensure ongoing tenant involvement, the current officer led project group will invite a tenant representative from the High Rise Group to join the project team.

4.1.6 The council will seek feedback on the development of community lettings policies with external organisations including Age Concern and the Youth Council.

4.2 Equality and Diversity / Cohesion and Integration

4.2.1 The council will conduct a full equality and diversity impact assessment as part of the review of LLPs to identify potential positive and negative impacts, and will develop an action plan to address any negative impacts identified.

4.3 Council policies and City Priorities

4.3.1 The development of community lettings policies supports the council's ambition of being the best city in the UK, which is fair, open and welcoming to all. The links to the best council outcomes of:

- Improving the quality of life for residents, particularly those who are vulnerable or in poverty. LLPs are generally perceived by existing tenants as positive in establishing stable communities, but also restrict the choice of rehousing for other customer groups.
- Achieving the savings and efficiencies required to continue to deliver frontline services by rewarding tenants who abide by their tenancy agreement.

4.4 Resources and value for money

The development of community lettings policies will improve lettings outcomes and reward tenants who abide by their tenancy agreement and care for their property. This will provide value for money by improving tenancy sustainment, reducing void times and costs and improving outcomes for tenants and residents. This is balanced against the reallocation of resources to proactive tenancy sustainment through home visits and pre-tenancy training.

4.5 Legal Implications, Access to Information and Call In

Under the Equality Act 2010 age discrimination is unlawful unless it can be shown to be a proportionate means of achieving a legitimate aim. A legal challenge could be made to an age related lettings policies on the basis of discrimination. If the policy is found to be unlawful discrimination, the claimant could be entitled to damages.

4.6 Risk Management

Currently the main risk is for a challenge under the Equality Act relating to the use of age LLPs. The move away from age related preferences reduces the likelihood of a successful legal challenge on the ground of unlawful discrimination based on age. Other risks of continuing to operate LLPs in their current format include reduced demand for properties and the potential for under occupation in 2 and 3 bedroom high rise properties resulting from changes to Housing Benefit paid to under occupying tenants of working age.

There are also some risks associated with some of the proposals and options. Whilst there is evidence to suggest an appetite for change, there is a risk attached to the speed of implementation to removing age related LLPs. This is particularly relevant to popular and well established high rise blocks where the resident profile and demand still meet the current age related LLP. It is likely there will be resistance to change so a phased approach over 3 years with an annual review of the LLP is recommended for such blocks.

The proposals for reducing the number of LLPs and strengthening the way in which we carry out lettings and tenancy management will require changes to the way we work and a redirection of resources. The service needs to have the capacity to deliver such things as additional home visits and new initiatives such as Pre-tenancy training, without this impacting on core business and performance.

However, the development of LLPs under the new proposals will improve lettings outcomes and reward tenants who abide by their tenancy agreement and care for their property. This will provide value for money by improving tenancy sustainment, reducing void times and costs and improving

outcomes for tenants and residents. This is balanced against the reallocation of resources to proactive tenancy sustainment through home visits and pre-tenancy training. There may be additional cost implications to the development of new initiatives such as Pre-tenancy training but our approach will be an invest to save model bringing longer term financial benefits in preventing tenancy failures.

5 Conclusions

The council has developed Community Lettings Policies based on a 'menu' of options to deliver sustainable, transparent and fair lettings criteria with the overall aim of moving towards an evidence-based approach to lettings. Examples include preference to tenants who can demonstrate they have kept to their tenancy agreement, people in employment/ training, and people who have completed pre-tenancy training and demonstrated a commitment to the rights and responsibilities of the council's tenancy agreement.

6 Recommendations

- 6.1 Housing Advisory Board note the contents of the report and the new approach to developing community lettings policies which builds on the success of new lettings criteria used for new build homes delivered through the council's Housing Growth Programme.

Appendices

- Appendix 1 List of local lettings policies