

Report of: The Director of Environment and Housing

Report to: Outer North West Community Communities

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To Note

Lettings Policy Review Consultation Update

Purpose of report

1. In February 2016, Executive Board agreed to commence consultation on these proposed changes to Housing Leeds' current lettings framework with a view to approving a revised policy in September/October 2016.
2. The consultation commenced with two Elected Member sessions in early March 2016. This has been followed by further consultation with local tenant and resident groups, statutory and voluntary sector partners and individual tenants and residents.
3. The paper provides an update on progress with the consultation to date, and some feedback on the key themes to emerge so far.
4. The report sets out the proposals being consulted on to the council's lettings, including the development of a tenant transfer list, a review of the lettings policy and a new approach to community lettings policies.
5. The report sets out the proposed consultation process and timescales for implementations of the new policies.

Recommendations

6. Members of the Community Committee are asked to comment on the proposals set out in the lettings policy consultation.

Background information

7. The lettings framework is based on the council's legal duties set out in the Housing Act 1996 of meeting housing needs as well as meeting the aspirations of tenants and residents.
8. 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.
9. Currently there are 23,922 (31/03/16) households on the housing register. Approximately 21% (5,901) of customers have assessed housing needs (Band A & B).
10. Around 1 in 6 of the council's 57,000 homes have a local lettings policy attached to them which gives preference to certain groups of applicants for some properties, e.g. local connection preference in some outer lying areas of the city or age restrictions intended to minimise lifestyle clashes in flats. Approximately 4,300 properties are sheltered properties that are primarily let to people aged 60 years and over.
11. As part of the harmonisation programme Housing Leeds has commenced a fundamental review of the local lettings policies to ensure they are fit for purpose and consistently applied across the city. The new approach to developing community lettings policies has been informed by the policies used to let the new build homes delivered through the PFI and Council Housing Growth Programme.
12. In February 2016, Executive Board agreed to commence consultation on these proposed changes to the current lettings framework with a view to approving a revised policy in September/October 2016.

Main Issues

13. Housing Leeds has identified the following drivers for change:
 - The majority of the 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.
 - They do not comply with equalities legislation leaving the council open to legal challenge based on discrimination
 - They often rely on the judgement that tenancy behaviour is linked to age, rather than evidence
 - There is inconsistent application of the policies with evidence that they restrict housing opportunities to younger people in some communities and result in concentrations in other areas.
14. Housing Leeds has extended the scope of the local lettings policy review to include the wider lettings framework.
15. The consultation asks for feedback on the following proposals:

Introduction of a tenant transfer policy to give greater preference to and reward existing council tenants who have successfully held a secure tenancy as part of our

commitment to the social contract and enabling the council to make better use of its housing stock

16. Review of the main lettings policy to mainstream some elements previously covered by local lettings policies – specifically:
 - Use of local connection preference in outer lying areas of the city with low turnover and high demand
 - Giving preference to tenants with a good tenancy record
 - Conducting home visits to prospective applicants prior to making an offer
 - Introducing pre tenancy training for 16 and 17 year olds, and applicants who are unable to demonstrate a good tenancy record
 - Using our good neighbour criteria in areas with significant issues of anti-social and criminal behaviour
17. New approach to community lettings policies to replace local lettings policies, with improved links to tenancy management issues in the wider community.
18. To include more proactive marketing of lower demand homes to attract new customer groups, and to encourage people in employment and flat sharing, and to encourage council tenants to downsize to a smaller property or high rise flat, and free up a family council house
19. The consultation commenced with two Elected Member sessions in early March 2016. This has been followed by further consultation with local tenant and resident groups, statutory and voluntary sector partners and individual tenants and residents. We are about a third of the way through the consultation and are currently on track to complete by July 2016.
20. A full timetable for the consultation is below:

Consultation plan	Timescales
Finalise proposals for consultation	Jan / Feb 2016
Executive Board approval to commence consultation	Feb 2016
Political briefings on draft version	March 2016
Public consultation with stakeholders on proposed changes to lettings policy, including tenants / customers	March – July 2016
Collation of responses	July 2016
Proposals to Housing Advisory Board	September 2016
Equality Impact Assessment of proposed changes to lettings policy	July - August 2016
Community Committees	June 2016
Housing and Regeneration Scrutiny Board	July 2016
Housing Advisory Board	September 2016
Executive Board to consider and approve changes	October 2016
Implementation including IT changes, training and promotion of new policy	October – November 2016
Implementation of Community Lettings Policies on Block by Block Basis	From October 2016
Regular Updates to HAB throughout implementation	October 2016 – March 2017

21. In addition to face to face consultation, online survey is available on the council's Talking Point portal, which has been promoted through the Leeds Homes flyer and website, Housing Leeds website, tenant newsletter and via social media.
22. The consultation is currently focusing on the overarching policy framework and changes to individual blocks will be subject to further local consultation with tenants and residents prior to implementation on a phased basis.
23. The consultation will run until July. A full consultation timetable is detailed above. Over the next 6-8 weeks further consultation will be undertaken with:
 - VITAL;
 - Community Committees;
 - YAGI;
 - High Rise Group;
 - All Housing Advisory Panels;
 - Equal Access Group;
 - Staff;
 - A number of tenant and residents groups facilitated through the tenant involvement team.
24. We will also be further promoting the online survey as widely as possible to gauge the views of both current and prospective tenants. A full summary and outcomes from the consultation will be presented to Housing Advisory Board in September 2016.

Corporate considerations

Equality and diversity / cohesion and integration

25. A full equality and diversity impact assessment will be completed to identify potential and negative impacts of the final recommended changes. This will also consider the impact of the recent High Court case which ruled that Ealing's allocations policy was unlawful – this related to their tenant transfer and employment preference criteria.

Council policies and city priorities

26. 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. This links to the best council outcomes of improving the quality of life for residents, particularly those who are vulnerable or in poverty.

Resources and value for money

27. The Council aims to ensure its housing stock is managed efficiently and best use is made of the limited resource, of example, by reducing homelessness and the associated social and financial costs such as temporary accommodation placements.

The Council aims to operate an efficient lettings process, to reduce the length of time properties remain empty to ensure the needs of customers in housing need are met, and to increase tenant and resident satisfaction with their homes and neighbourhoods.

Legal implications, access to information and call in

28. The report is an update paper and is not subject call in. The Housing Act 1996 requires every local housing authority to have an allocation scheme for determining which customers are prioritised for re-housing, and the procedure to be followed in allocating housing. The covers lettings of Council tenancies made by Housing Leeds and the Belle Isle Tenant Management Organisation (BITMO), and nominations to Registered Social Landlords. The Localism Act and more recent government guidance supports local authorities to consider operating tenant transfer lists alongside their lettings policies. In additional the council will consider the implications of the recent case involving Ealing Council's allocations policy.

Risk management

29. The report is an update paper. A full risk assessment has been undertaken for the Lettings Policy Review.

Conclusion

30. This report highlights the progress that has been made to date with the consultation on the lettings policy review, and provides some feedback on the key messages emerging from the consultation so far. A full report on the outcome of the consultation and next steps will be presented to the September meeting of Housing Advisory Board, prior to being taken to Executive Board for approval.

Recommendations

31. Members of the Community Committee are asked to comment on the proposals set out in the lettings policy consultation.

Background papers

Appendix 1

List of approved local lettings policies

Appendix 2

Consultation Survey forum