

**Report of Madeleine Edwards**

**Report to Chief Officer, Resources & Housing**

**Date: 31 July 2017**

**Subject: Local Lettings Policy for Argie Avenue, Kirkstall LS4**

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

**Summary of main issues**

1. This report sets out the framework for the development and implementation of new local lettings for 24 maisonettes on Argie Avenue in Kirkstall which are returning from Unipol to be managed by Housing Leeds.
2. The properties have been refurbished to a high standard and Housing Leeds wishes to relet them under a local lettings policy which will help create sustainable communities and reward existing council tenants and applicants with a connection to the Kirkstall Ward.
3. The report sets out the proposed lettings policy which will support the council's ambition of being the best city and council in the UK.

**Recommendations**

4. That the Chief Officer, Housing Management, approves the new local lettings policy for 24 maisonette units situated on Argie Avenue, Kirkstall.

## **1 Purpose of this report**

- 1.1 This report seeks approval for a local lettings policy for 24 maisonette homes in the Kirkstall area to deliver sustainable lettings and support community cohesion.
- 1.2 This report details how the local lettings policy for Kirkstall will support the Vision for Leeds, Council Business Plan and City Priority Plan.

## **2 Background information**

- 2.1 The maisonettes will deliver 24 additional council homes for households with dependent children in the Kirkstall area.

The local lettings policy outlined in this report will cover the 24 x 3 bedroomed maisonettes at 127 – 173 Argie Avenue (odd numbers).

- 2.2 The council's lettings policy provides the overall framework for lettings of council properties. Local lettings policies allow the council to respond to local needs and have a localised approach to the management of specific property types. Local lettings policies may give preference for offers of accommodation to defined groups of customers, for example, on the basis of their age, employment status or local connection to an area.
- 2.3 The council wishes to let the properties through specific local lettings policies tailored to meet local needs and aspirations.
- 2.4 The council wishes to overcome the perception that the current lettings policy is unfair to tenants who have been on the housing register for a long time who feel they have little hope of being rehoused ahead of other customers in housing need.

## **3 Main issues**

- 3.1 In developing proposals for a local lettings policy the council has considered the information it holds about housing need in the locality as well as the aspirations of local communities
- 3.2 The ward members have been consulted and given support to the LLP.
- 3.1 The council proposes to operate a local lettings policy which will give preference for offers of accommodation to households with dependent children who have a local connection (based on residence, employment and family associations) to the Kirkstall ward and have an excellent tenant record or equivalent, and are either:
  - living in flats
  - living in overcrowded conditions, or
  - in employment

- 3.2 In line with the main lettings policy, 75% of the properties will be let based on the priority band order on the housing register, and 25% let based on date of application on the housing register.
- 3.3 In the event of there being insufficient demand for the properties the council will widen the local connection area to Leeds.
- 3.4 Prior to offers being made, the council will check the tenancy record of applicants to ensure they have met their responsibilities under their tenancy agreement. This will include checks on their rent payment history, condition of their current property including internal and external areas such as gardens, and community responsibilities, including antisocial behaviour, nuisance and environmental issues. The council will conduct a home visit to the property as part of the robust checks.
- 3.5 As shown in Appendix 1, the local lettings policy is framed to allow the council to consider customers who are not able to meet the strict criteria where there would be the potential for unlawful discrimination, for example, a recognised carer who was unable to work due to their caring commitments may be offered a home if they were the highest ranked customer on the shortlist who met the local connection and good tenant criteria.
- 3.6 Due to tight handover deadlines the onus will be on customers to provide evidence of how they meet the criteria within the timescales given in the advert.
- 3.7 The local lettings policy will apply to all initial lets and subsequent relets made to the end of 2018. The council will then evaluate the effectiveness of the policy and decide whether to extend it.
- 3.8 Once approval has been received, the properties will be advertised through Leeds Homes with clear detail on the local lettings policy criteria. The properties will be advertised ahead of the handover date to allow shortlisting and verification to be completed, and properties pre-allocated to the successful customer.
- 3.9 New tenants will be offered an introductory tenancy, unless they previously held a secure tenancy with the council, or an assured tenancy with a housing association.
- 3.10 An introductory tenancy is for a trial period which lasts for a year. Provided there are no issues the tenancy will become a secure tenancy at the end of the year. The introductory tenancy can be extended for a further six months if the tenant does not fully comply with the tenancy terms, or action to repossess the property can be taken.
- 3.11 The local lettings policy will only apply when a home is being allocated under Part 6 Housing Act 1996. It does not cover mutual exchanges, assignments or successions which are regulated under Housing Act 1985. This allows the council to refuse requests to exchange a property if the tenant is an Introductory Tenant or where tenancy possession action has been taken on rent arrears, antisocial behaviour or any other tenancy breach.

## **4 Corporate considerations**

### **4.1 Consultation and Engagement**

4.1.1 This included seeking the views of the local Ward Members.

4.1.2 Previous consultation on changing the council's main lettings policy have consistently shown high levels of support for making lettings based on waiting time and local connection. With affordable social housing being a scarce resource, the council wishes to meet the aspirations of its tenants who have abided by the terms of their tenancy agreement, but who would not necessarily receive any priority on the housing waiting list.

4.1.3 The properties released by tenant transfers will be relet to other customers on the housing register.

### **4.2 Equality and diversity / cohesion and integration**

4.2.1 The council has undertaken an equality and diversity impact assessment of the local lettings policy, which identifies the main positive and negative impacts on equality groups. This is shown in Appendix 2.

4.2.2 In developing the criteria for the local lettings policy, the council has considered the equality groups who may be unable to meet the criteria and allowed for the criteria to be relaxed, for example, an offer could be made a customer with a recognised carer who is unable to meet the employment criteria.

### **4.3 Council policies and best council plan**

4.3.1 Leeds' ambition is to be the best city in the UK – fair, open and welcoming with an economy that is both prosperous and sustainable so all our communities are successful. The development of local lettings policies for new build homes will support the council's desired outcomes of improving quality of life for our residents, particularly for those who are vulnerable or in poverty.

### **4.4 Resources and value for money**

4.4.1 The development of new local lettings policies requires resources to undertake enhanced verification of applicants (through home visits) prior to a formal offer of accommodation being made. The timely approval of the local lettings policy, property advertisements and shortlisting is essential to ensure the properties are let as soon as they are available to reduce potential void costs to the council.

4.4.2 Void costs associated with increased transfers will be minimised by conducting enhanced checks on existing tenancies, including a home visit to inspect the property.

### **4.5 Legal implications, access to information and call-in**

- 4.5.1 The council must abide by the Housing Act 1996, as amended, in developing its allocations scheme, including local lettings policies. Local lettings policies may be used to achieve a wide variety of housing management and policy objectives. However, the council must have regard to its duties under equalities legislation, as well as the requirement to give overall priority for allocations of social housing to people in the reasonable preference (housing need) categories, including homelessness, medical need or overcrowding. This is achieved through the council's approach to lettings across the wider ward areas and city.

## **4.6 Risk Management**

- 4.6.1 There is a risk that there may be low demand for the properties, particularly the upper 3 bedroom maisonettes, due to changing patterns of demand for social housing, particularly as a result of the economic climate and welfare reform changes. This has been mitigated by the fact the maisonettes have been refurbished and are located in a popular area. All lettings will be subject to an affordability assessment and employment is one of the preference criteria.

## **5 Conclusions**

- 5.1 These homes are being returned into Housing Leeds management, and will add to council stock in the Kirkstall area. As such the council wishes to allocate them under a local lettings policy to improve tenancy and community sustainment.

## **6 Recommendations**

That the Chief Officer, Housing Management, approves the new local lettings policy for 24 maisonette units situated on Argie Avenue, Kirkstall.

## **7 Background documents<sup>1</sup>**

- 7.1 None

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