



Guidance for the use of Local Lettings Policies

Contents

1.0 Scope	3
2.0 Purpose	3
3.0 Aims and Objectives	3
4.0 Regulatory Code and Legal Framework	3
5.0 Policy Outline	4
5.1 Consideration of a Local Lettings Policy	4
5.2 Reasons for a Local Lettings Policy	4
5.3 The Decision and Review of a Local Lettings Policy	5
5.4 Potential Local Lettings Policy criteria	5
5.5 Advertising of properties using Local Lettings criteria	6
5.6 Letting of properties using Local Lettings criteria	6
5.7 Ensuring choice and fairness for applicants	6
6.0 Related Policies, Procedures and Guidelines	7
7.0 Review	7
8.0 Document History and Approval	7

1.0 Scope

There are occasions where properties may need to be allocated taking additional information into account rather than following the standard Allocations Policy. This includes where there are issues of low demand, persistent anti-social behaviour or other estate management issues. It is also good practice to use a Local Lettings Policy for new build and regeneration schemes. This policy outlines how Broxtowe Borough Council will allocate properties in these circumstances.

This policy is a supplementary document of the Allocations Policy and should be used in conjunction with and always giving due consideration to the Allocations Policy. This policy does not cover when an individual property needs to be let sensitively, details about this are included in the Allocations Policy.

2.0 Purpose

The purpose of a Local Lettings Policy is to create more sustainable communities and increase tenancy sustainment.

A Local Lettings Policy defines what a Local Lettings Policy is; when it should be or can be used; what outcomes will be sought as a result and how it will be reviewed.

3.0 Aims and Objectives

The Policy will detail the Council's approach to implementing a Local Lettings Policy by outlining;

- When the policy may be enacted and what justification is required
- The possible eligibility criteria under a scheme covered by a Local Lettings Policy.
- The application process and how an application would be processed when there is a Local Lettings Policy.
- How properties are offered and let when there is a Local Lettings Policy.

4.0 Regulatory Code and Legal Framework

The Housing Act 1996 (amended by the Homelessness Act 2002), requires local authorities to have a written policy for determining priority and the procedures to be followed for the lettings of housing.

Whilst 'Reasonable Preference' must be given to certain defined groups, Section 166A (3). enables authorities to let properties to people of a particular description where there is a clear need for the approach.

The Broxtowe Borough Council Allocation Policy 2018 advises that;

5.17 Local Lettings Policies

Guidance for the use of Local Lettings Policies
Section 166A (6)(b) of the Housing Act 1996 enables housing authorities to allocate particular accommodation to people of a particular description, whether or not they fall within the reasonable preference categories, provided that overall the authority is able to demonstrate compliance with the requirements of the Act.

If this is to be used, a separate local lettings policy will be written. This is particularly appropriate for new build schemes, large estates and areas with problems of anti-social behaviour.

The Council will support registered providers to introduce local lettings policies where there is evidence for a need for a separate policy.

If a property will be allocated according to a local lettings policy, the advert will clearly state: 'Allocations will be made in accordance with a local lettings policy'.

5.0 Policy Outline

5.1 Consideration of a Local Lettings Policy

Any manager in the Housing Service can request a local lettings policy to be developed. The Housing Operations Manager will consider all requests and consult with the following; Tenancy and Estates Manager, Lettings Manager, Housing Officer and Senior Maintenance Officer.

Following the consultation, a draft local lettings policy will be developed and sent to the Lead Member for Housing and ward Councillors for consideration.

Full details of this process are included in the Local Lettings Policy procedure.

5.2 Reasons for a Local Lettings Policy

A local lettings policy will be considered in the following circumstances:

There are concerns about the levels of reported anti-social behaviour.

There is no specified trigger point for either the number of reports or the types of anti-social behaviour that is being reported. However, in the view of the Council anti-social behaviour must be a significant part of the reason for high tenancy turnover and difficulty in letting void properties.

The Council must have evidence of anti-social behaviour in the location. This may be by referring to its own data or information held by partner agencies such as Nottinghamshire Police. Trend information will be analysed over the previous 12 months and demonstrate that levels of anti-social behaviour are out of proportion with the rates to be expected in areas of similar size and type elsewhere in Broxtowe.

Properties are difficult to let

The Council must demonstrate that void properties have not been allocated via Choice Based Lettings shortlists on a number of occasions. The properties will meet the Long Term Void and Difficult to Let criteria as set out in within the Allocations Procedure

The Council will also be able to demonstrate that by changing the allocation criteria it is possible to allocate the accommodation to other groups than those who currently qualify.

New build scheme

When a new community may be being created it is appropriate to consider the mix of people living on the scheme to provide the greatest opportunity to make the scheme more sustainable.

Regeneration scheme

If tenants have been moved from their former accommodation to enable the regeneration and development of the area, it would be appropriate for those tenants to be given priority to move back into the regenerated area.

Specialist housing

If accommodation is developed for a particular group of people then priority will be given to those requiring the specialist property, for example dementia friendly bungalows

Dedesignation of schemes from Independent Living to General Needs

If the classification of a scheme is changed from Independent Living to General Needs a local lettings policy will ensure that allocations are made sensitively, taking into account the needs to those who choose to remain living there.

5.3 The Decision and Review of a Local Lettings Policy

Approval for a local lettings policy and any restrictions will be made by the Head of Housing.

A local lettings policy can be implemented for between one year and five years. Annual reviews will be completed to monitor the effectiveness of the policy.

5.4 Potential Local Lettings Policy criteria

The additional criteria for allocation introduced as part of the local lettings policy will depend on the reason for the implementation of the policy and the desired outcome. The Council will be able to evidence why the additional criteria will achieve the desired outcome. Additional criteria can include, but is not limited to:

- Age restrictions
- Family composition (including under occupation)

- Level of support needs
- Economic status and affordability
- Local connection to area
- Criminal convictions
- History of tenancy issues

5.5 Advertising properties in accordance with a Local Lettings Policy

The Council will advertise properties that are subject to a local lettings policy in the normal way through the Choice Based Lettings system. Where a local lettings policy is in place, the advert will be amended to clearly show that there is a policy in effect. The advert will display the following wording for applicants 'Allocations will be made in accordance with a local lettings policy'. The advert will specify what criteria is being applied. No specific forms or different application forms will need to be completed by applicants.

5.6 Letting properties in accordance with a Local Lettings Policy

Applicants will be shortlisted by following the usual allocation processes as set out in the Allocation Policy and associated procedures.

Applicants who bid and are unsuccessful because they do not meet the criteria for the scheme will not be disadvantaged in any other way and their application will remain active in the same band.

Applicants may be subject to more in depth checks whilst being considered for the property depending on the eligibility criteria of the local lettings policy in effect. If an applicant is unwilling to provide information or participate in the process outlined or is unable to provide necessary information that shows their eligibility for the scheme in a timely manner, an offer will be withdrawn.

If there are no applicants registered on the waiting list that meet the eligibility criteria of the local lettings policy following 3 advertising cycles, the policy criteria will be reviewed.

5.7 Ensuring choice and fairness for applicants

It is acknowledged that by introducing local lettings policies, the choice for applicants is reduced. Therefore the availability of alternative properties in each area will always be considered.

No more than 10% of the Council's housing stock will be subject to a local lettings policy at any one time. This will be reviewed on an annual basis.

6.0 Related Policies, Procedures and Guidelines

This policy should be read in conjunction with the:

- Allocations Policy
- Advertising of a property procedure
- Application risk assessments procedure
- Pre tenancy checks procedure
- Local Lettings Policy consideration procedure
- Long Term Void and Difficult to Let criteria

7.0 Review

This Policy will be reviewed every 3 years unless there are significant changes in legislation.

8.0 Document History and Approval

Date	Version	Committee Name
19/09/2018	1.0	Housing Committee