

	REPORT TO CABINET TO BE HELD ON 14 NOVEMBER 2017	
	Key Decision	YES
Corporate Priority Aim 3 – Creating Healthy and Vibrant Communities	Cabinet Portfolio Holder	Cllr Bill Chatt Cabinet Member for Public Health and Housing

REPORT OF: DIRECTOR (NE) – 17/251

WARDS AFFECTED: ALL WHITBY WARDS AND SURROUNDING WARDS

SUBJECT: LOCAL LETTINGS AGREEMENT FOR SNEATON CASTLE DEVELOPMENT AT WHITBY

RECOMMENDATION (S):

Approve entry into a Local Lettings Agreement in respect of the allocation of affordable rented homes at the Thirteen Development at Sneaton Castle, Whitby.

REASON FOR RECOMMENDATION

To ensure that additional preference is given to households from Whitby in respect of the allocation of new affordable rented homes being developed by Thirteen Group at Sneaton Castle, Whitby.

HIGHLIGHTED RISKS:

See attached risk matrix

1. INTRODUCTION

- 1.1 This report recommends that, Cabinet approves entering into a Local Lettings Agreement (LLA) with Thirteen Group in respect of the new affordable rented homes being developed at Sneaton Castle in Whitby

- 1.2 The purpose of this LLA is to ensure that additional preference is given to households who have a local connection to Whitby and the surrounding northern area parishes.
- 1.3 Thirteen have also proposed that additional preference is given to households with the local connection who are in employment, are undertaking recognised community/voluntary work or employment related training, or are unable to work due to disability or having to provide full-time care for someone in the household.
- 1.4 Thirteen Group are a Registered Provider who are undertaking the development of the first phase of the Sneaton Castle development in Whitby, which comprises a total of 190 new homes including 71 affordable rented homes.

2. CORPORATE AIMS/PRIORITIES AND THE COMMUNITY PLAN

- 2.1 The provision of safe affordable homes on this development contributes to Aim 3 of the Council's Corporate Plan, 'Creating Healthy and Vibrant Communities'.

3. BACKGROUND AND ISSUES

- 3.1 Thirteen Group are a Registered Provider who are undertaking the development of the first phase of the Sneaton Castle development in Whitby, which comprises of a total of 190 new homes including 71 affordable rented homes.
- 3.2 The first phase forms part of the overall development of the Sneaton Castle site, which received outline planning permission in 2014 to provide 246 new homes and an 80 bed care home.
- 3.3 Full planning permission for the first phase was granted in 2016 and work commenced on site in late 2016 with the first homes due to be completed in early 2018.
- 3.4 This report recommends that, given the scale and importance of this development to meeting the housing needs of Whitby the Council enters into a LLA with Thirteen Group in respect of the allocation of the new affordable rented homes.
- 3.5 Both the Housing Act 1996 and the Councils adopted accommodation scheme North Yorkshire Home Choice (see Cabinet report 10/213 May 2010) allow for the creation of LLA's. These agreements are published variations to the normal allocations policy. The use of such agreements must be transparent, fair and used to help meet a specific purpose or objective.

- 3.6 An LLA was previously approved for the allocation of new affordable rented homes at Helredale and St Peters Road in Whitby with Yorkshire Coast Homes (see Cabinet report 14/405), which gave additional preference to households from Whitby. This report also highlighted that a similar approach would be taken for the forthcoming development at Sneaton Castle in Whitby.

4.0 CONSULTATION

- 4.1 Officers have developed these proposals in consultation with Thirteen Group. In addition, it has previously been reported to Cabinet that an LLA will be adopted.

5.0 ASSESSMENT

- 5.1 The Council adopted its allocation scheme, called Home Choice in 2010. The scheme shared by all local authorities across North Yorkshire (except Harrogate) operates via the use of Choice Based Lettings. Available properties are advertised via a web based system and registered applicants “bid” for those properties.

- 5.2 The Home Choice policy for allocating homes is through the use of “tie breakers” that are used to rank the bids made. Current policy ranks bidders on the basis of:

1. *Housing Need (i.e. Gold, Silver then Bronze band)*
2. *Occupation (i.e. the size of the property to the size of the applicants household)*
3. *Debt (with less preference given to applicants with a history of housing related debt/rent arrears)*
4. *Time in Need (i.e. time registered on the scheme)*

- 5.3 Under the proposal by Thirteen Group, it is recommended that the primary tie breaker would be for additional preference to households with a local connection to Whitby within one of the following categories:

- Applicants in full-time or part-time employment.
- Applicants undertaking voluntary work
- Applicants undertaking recognised training
- Applicants unable to work due to being disabled or having to provide full-time care for someone in the household

5.4 This primary tie breaker would only be applicable to applicants within the Gold and Silver bands.

5.5 This would mean that properties for rent would be allocated on the basis of:

1. *Housing Need (Gold band only) with connection to Whitby and in either full or part –time employment, undertaking voluntary work, undertaking recognised training, or unable to work due to being disabled or having to provide full-time care for someone in the household*
2. *Housing Need (Gold band only) with connection to Whitby*
3. *Housing Need (Silver band only) with connection to Whitby and in either full or part –time employment, undertaking voluntary work, undertaking recognised training, or unable to work due to being disabled or having to provide full-time care for someone in the household*
4. *Housing Need (Silver band only) with connection to Whitby*
5. *Housing Need (No connection restriction)*
6. *Occupation (i.e. the size of the property to the size of the applicants household)*
7. *Debt (with less preference given to applicants with a history of housing related debt/rent arrears)*
8. *Time in Need (i.e. time registered on the scheme)*

5.6 The implication of this change will be that households that have a local connection to Whitby, will be prioritised over households with no local connection to the Whitby area.

5.7 Only once the waiting list of applicants within one of the categories listed above and with a local connection to Whitby in Gold and silver bands is exhausted will households with no local connection to Whitby or with no recognised need (e.g. in Bronze band) be considered. There are currently around 210 applicants with a local connection to Whitby within the Gold and Silver Bands.

5.8 For the purpose of this agreement, Local connection to Whitby will be defined as:

Ordinarily resident or in Full time employment in the Whitby area for at least 12 months prior to Occupation or;

Having a close family connection (parents, children or siblings) who have been ordinarily resident within the Whitby area for at least five years immediately prior to occupation: or,

Being a head of a household who or whose partner is in or who is taking up permanent full time employment in an already established business within the Whitby area

- 5.9 For the purpose of this policy the Whitby area is defined as the wards of Whitby West Cliff, Mayfield and Streonshalh and the surrounding parishes of Newholm, Aislaby, Eskdaleside, Sneaton and Hawsker.
- 5.10 The rationale for giving extra preference to Whitby households in employment, training etc. is that Whitby has a high proportion of households in low income employment who are unable to afford to purchase property due to higher property prices in Whitby. There is also a smaller stock of suitable housing in Whitby in the private rented sector, which can be accessed by low income households. This approach will ensure that local households in employment are given the fullest opportunity to access affordable rented housing, and to ensure that a mixed and sustainable community is developed.
- 5.11 The implication is that it will give applicants with a local connection in employment, training etc. preference over households with a local connection not in employment etc. who may have a greater housing need.
- 5.12 As a consequence it is proposed to monitor the allocations throughout the course of the development to ensure that the policy does not have an adverse impact on households with a local connection and in housing need. We would therefore reserve the right to amend the policy and remove the tie breaker requiring applicants with a local connection to be in employment etc. if there was evidence from initial allocations that it was having an adverse impact on households with a local connection and in housing need. If this was to happen then the initial tie breaker would be:

Housing Need (Gold/Silver bands) with connection to Whitby

- 5.13 Whilst this is a positive measure for households from Whitby, this approach does effectively mean that applicants, who may be in greater need and who live in other parts of the Borough are much less likely to be allocated one of these new homes. The adoption of a Local Lettings Agreement does therefore have its advantages and disadvantages. Nevertheless given the scale of this development and the extent of local need in Whitby, it is recommended that this more localised approach will benefit the local community and support the sustainability of the development.
- 5.14 It is important to note that this proposed LLA relates to the letting arrangements for the allocation of new homes only. This is a time limited

agreement that does not replace the Council's allocation scheme nor relate to the letting of any other homes within the Whitby area or future relets within this scheme.

6.0 IMPLICATIONS

6.1 Policy

This report recommends that the Council adopts a Local Lettings Agreement in respect of the allocation of social housing lettings for a specific development. The adoption of such an agreement is a time limited variation to normal Council policy.

6.2 Financial

No implications.

6.3 Legal

Under the Housing Act 1996, local housing authorities already have the ability to introduce local lettings agreements as variations to normal policy

6.4 Equalities and Diversity

It is considered that given the level of local need in Whitby a variation to the Council's adopted allocations scheme would be justified in this instance.

However, it is essential that the Council maintains a fair and balanced approach to the use of Local lettings Agreements and the introduction of restrictions on allocations more generally.

6.5 Staffing Issues

There are no staffing issues associated with this report.

6.6 Planning, Environmental, Health and Safety, Sustainability, Crime and Disorder

There are no other implications associated with this report

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Background Papers: None

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS, PLEASE CONTACT JOHN BURROUGHS ON 01723 383649 OR E-MAIL john.burroughs@scarborough.gov.uk

Risk Matrix

Risk Ref	Date	Risk	Consequences	Mitigation	Current Risk Score	Target Score	Service Unit Manager/ Responsible Officer	Action Plan
1	November 2017	The Council does not approve a Local Lettings agreement (LLA) for the development	There is a risk that households from Whitby in housing need will miss out on the allocation of housing due to the large numbers of households in need within the rest of the Borough (who may have been waiting longer or receive a greater priority)	The introduction of an LLA	C3	B3	Housing Strategy and Development Officer	
2	November 2017	The Council does enter into an LLA	Households in need within the rest of the Borough (who may have been waiting longer) are unlikely to be allocated a home on the new development	There are over 200 households with a Whitby postal address registered on the Home Choice system in the highest need "Gold and Silver" bands	C3	B3	Housing Strategy and Development Officer	
3.	November 2017	The tie breaker requiring households with local connection to Whitby are required to be in employment, training, voluntary work or be disabled or be a full time carer has adverse impact on other households with a local connection	Households with local connection in housing need and not in employment are unable to access housing on the scheme	Regular monitoring of allocations at each phase of lettings and policy to be amended accordingly if it is seen to have an adverse impact and prevent households in need accessing housing	C3	B3	Housing Strategy and Development Officer	