

## **Appendix 3.2**

### **Local Lettings Plan**

Between Plymouth City Council (PCC), South Hams District Council (SHDC) and Devon and Cornwall Housing (DCH)

#### **Background**

- The s106 Agreement defines the Local Lettings Plan as “the guiding principles to be applied as a sensitive lettings and nominations policy for Affordable Housing as set out in Appendix 3.2 to this Deed or as shall be amended by written agreement between the Parties from time to time”
- This Local Lettings Plan is based on Appendix 3.2 of the s106 Agreement “Principles of the Local Lettings Plan”.

#### **1. Purpose of Local Lettings Plan**

The principal purpose of the Local Lettings Plan is to guide the allocation of all initial and future vacancies of Affordable Housing (social and affordable rents) at the Development, in both Plymouth and South Hams, to Eligible Households. The Local Lettings Plan will be used to prepare shortlists of nominations for the Affordable Housing Units at the Development and will assist in the final selection of successful of eligible applicants.

This Local Lettings Plan will be reviewed should a signatory cease to be a partner of Devon Home Choice or a local authority amends its Allocation Policy in regards to how to priorities are determined.

#### **2. Objectives of the Local Lettings Plan**

**The objectives of this Local Lettings Plan:**

- establish and sustain a mixed, stable and economically vibrant community at the development;
- foster a sense of ownership and community;
- promote equal opportunities and anti-discriminatory practice in housing allocations;
- increase choice for applicants;
- learn from the profile of successful developments similar in form and density to the Development that have matured over a number of years;
- facilitate effective management of the development;
- minimise void levels and rent loss

#### **3. Advertising Process**

The advert will describe the property types and sizes available for letting together with a brief summary of Local Lettings Plan detailing the intention to give priority to

the group of applicants identified below. The standard information with regard to property attributes and rent levels will be included.

The properties will be openly advertised to all bands.

Upon closure of the bidding process applicants will appear on the shortlist in band and date order. The final selection of applicants to be verified for the vacancies will depend upon their application band (housing need), the length of time they have been in this band, and the households ability to meet the requirements of the overall aims and objectives of this Local Lettings Plan. This may require some applicants to be considered before others irrespective of their relevant banding and dates.

#### **4. Under occupation**

Child density is widely agreed to be a key factor in the sustainability of any community, particularly on housing estates. .

We aim to achieve a reasonable balance of child density that will allow for some natural growth of the families housed. We will use this LLP to manage the number of children allocated to a property and will consider if a property should be under occupied by one bed space however the household must be eligible for the number of bedrooms within the property. For example 2 units of 4 bed 8 properties within close proximity could be advertised to 4 bed 7 persons.

This will be considered and agreed between the PCC, SHDC and DCH prior to advertising and the housing scheme mix matrix with the agreement will be attached to this LLP as an appendix to support.

#### **5. Priority given to applicants with a evidenced local connection:**

##### **Definition of local connection:**

A local connection will be met if evidenced is provided to demonstrate the following circumstances.

**Residency** - Applicants must have lived the defined area for a minimum period of six months in the last twelve, or three years out of the past five preceding the allocation. Residency in the defined area must be by choice and not through for example “placement” or “detainment”.

**Family** - Persons who can demonstrate a close family connection to the defined area in that the person’s mother, father, son, daughter, brother or sister or a long established carer has been ordinarily resident in the defined areas for the past five years preceding the allocation **and** where a caring dependency relationship can be evidenced.

**Employment** - Applicants will have a local connection if the applicant is in permanent work with a minimum of a weekly 16 hour contract for the previous 12 months, and not had a break in the period of employment for more than three months. This should not include employment of a casual or seasonal nature.

**Armed forces personnel** – Guidance issued in August 2012 stated that where housing authority’s local connection policies they must not apply to the following persons:

- a) Those who are currently serving in the regular forces or who were serving in regular forces at any time in the five years preceding their application for an allocation of social housing
- b) Bereaved spouses or civil partners of those serving in the regular forces where (i) the bereaved spouse or civil partners has recently ceased, or will cease to be entitled, to reside in Ministry of Defence accommodation following the death of their service spouse or civil partner, and (ii) the death was wholly or partly attributable to their service
- c) Current or former members of the reserve forces who are suffering from a serious injury, illness or disability which is wholly or partly attributable to their service

**Exceptions** to this may include special circumstances such as medical or support needs that are only available in a particular district and will be subject to individual review. Where an applicant has no local connection in any district within the United Kingdom, then they will be deemed to have a local connection in this area.

*Current Policy states Band A applicants do not need to meet the requirements of this Local Lettings Plan as per the Devon Home Choice Policy.*

## **6. Allocation Process**

### **Initial lettings within Plymouth boundary**

Initial lettings for the first 29 Properties within the Plymouth boundary area of the new site will be advertised by Plymouth City Council to those applicant evidencing a local connection to Plymouth as per the definition in section 5 within this Local Lettings Plan. Allocations will made in band and date order.

### **Initial lettings within South Hams boundary**

Initial lettings for the first 29 Properties within the South Hams District boundary area of the new site will be advertised by South Hams District Council to those applicant evidencing a local connection to South Hams as per the definition in section 5 within this Local Lettings Plan. Allocations will made in band and date order.

### **Remaining allocations will be advertised accordingly:**

**Local connection preference will be considered in the following order:**

1. applicants in Band B – D with a qualifying local connection to those wards/parishes adjacent to newly created town of Sherford: Plympton, Plymstock, Brixton, Sparkwell, Yealmpton, Newton and Noss Mayo and Wembury
2. applicants in Band B – D with a qualifying local connection to South Hams and Plymouth (equal status)
3. applicants in Band B – D with a qualifying local connection to West Devon
4. applicants in Band B – D with a qualifying local connection to Devon

5. applicants in Band E with a qualifying local connection to those wards/parishes adjacent to newly created town of Sherford: Plympton, Plymstock, Brixton, Sparkwell, Yealmpton, Newton and Noss Mayo and Wembury
6. applicants in Band E with a qualifying local connection to South Hams and Plymouth (equal status)
7. applicants in Band E with a qualifying local connection to West Devon
8. applicant in band E with a qualifying local connection to Devon

## 7. Eligibility, Verification and Refusals

Home visits will be carried out by the managing landlord in order to carry out a detailed verification and eligibility check before a formal offer is made. All offers of accommodation with landlords will be subject to the policies of the individual organisation. There will be clear grounds for refusals or bypassing applicants by landlords agreed with partner landlords. A landlord will inform an unsuccessful applicant of the reason behind their decision. Applicants can request a copy of the RSLs Allocations Policy.

This scheme only considers those applicants who have not been involved in incidents of anti-social behaviour, nuisance or drug misuse; within the last 5 years;

### **Defining anti-social behaviour, serious harassment, nuisance and drugs misuse**

#### **Anti-Social Behaviour**

Is where a householder has been **cautioned** for violent crimes against other people or properties or under any parts of the anti-social behaviour legislation within the last 12 months.

Is where a householder has been **prosecuted** for violent crimes against other people or properties or under any parts of the anti-social behaviour legislation within the last 5 years.

#### **Harassment**

Is where a householder has been **cautioned** for crimes of harassment against others within the last 12 months.

Is where the householder has been **prosecuted** for crimes of harassment against others within the last 5 years.

#### **Nuisance**

Is where a householder has caused a nuisance that has resulted in **legal action** by the Association or another social housing landlord within the last 5 years. This includes actions against a tenancy through environmental health or planning legislation.

#### **Drug misuse**

Is where a householder has been **cautioned** for the possession or supply of illegal substances within the last 12 months.

Is where a householder has been **prosecuted** for the possession or supply of illegal substances within the last 5 years.

## **8. Equality**

Special attention *will be* given to ensure that vulnerable people within the local community, including members of the BME population, are aware of how to apply for properties within this scheme. Difficulty in communication and language barriers should be carefully considered in this. Every effort should be made to encourage vulnerable people and members of the BME community to apply for places in the first instance. Special assistance will be put in place to ensure that all forms are understood and correctly completed.

## **9. Terms of tenancy**

The terms of the tenancy that will be offered will depend upon a number of factors and therefore applicants will be informed of this as part of the formal offer process so they are able to consider this before accepting an offer of accommodation.

## **10. Disputes**

Any applicant dissatisfied with a decision made regarding the offer or allocation of social rented properties may request a review by following the published complaints procedures of social landlord managing the property.

## **11. Monitoring and Review**

Careful monitoring of the allocations process and how the estate is forming must take place to identify early on, areas that may need to be reviewed regarding future allocations of the estate.

The following information should be collected and carefully monitored.

- Number of refusals of offers and reasons;
- Number of transfers;
- Number of exchanges;
- Number and type of complaints;
- Number of children housed at time of letting;
- Number and ethnicity of those housed;
- Origin of Application;
- Number of re-lets;
- Reasons (if possible) for tenants leaving the properties

The plans for all individual schemes should be reviewed annually and if not reviewed with eighteen months shall cease to have effect. The purpose of the annual review will include: -

- To identify any trends/common complaints;

- To make policy recommendations;
- To explain targets not met or exceeded;
- To identify and explain inequities between the partners results;
- To set objectives and agree action plans, if appropriate;
- To set new targets, if appropriate.

**All partners must agree and sign this document before it can be implemented:**

**Plymouth City Council**

Signature.....

Print Name .....

Job Title.....

Date.....

**South Hams District Council**

Signature.....

Print Name .....

Job Title.....

Date.....

**Devon and Cornwall Housing**

Signature.....

Print Name .....

Job Title.....

Date.....

**Date:**

**Annual Review date:**