

Local Lettings Policy for Estates Approved for a Regeneration Programme

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1. Introduction

The Council is required to have an allocations scheme for determining priorities and the procedures for the allocation of social housing. The Council must publish the rules it follows in deciding who to offer housing, how offers are made and it must follow these rules.

1.1 Scope of the policy

1.1.1 One of the key priorities of the Council is to regenerate housing estates in the borough. It involves the demolition and re-building of the whole estate or selected blocks and often requires rehousing tenants from their homes within a set timescale. To ensure fairness, consistency and transparency, the rules guiding the assessment, rehousing of tenants and lettings of homes is set out in the Lettings Policy document ('How We Let Our Homes').

1.1.2 To ensure that we have the flexibility to both facilitate the smooth decanting of tenants as well as the ability to address the wider housing needs on the estate, it was agreed that a local lettings policy should be adopted on the housing estates approved for regeneration.

1.1.3 The local lettings policy will operate within the framework of the Council's existing allocations scheme. It sets out the criteria and process for lettings on regeneration estates. It also allows for the homes on the estate to be ring fenced to existing tenants in the first instance. It is time limited and will only exist until the completion of the regeneration programme.

2. Moving tenants to allow for regeneration

2.1 Homeloss and disturbance Payment

A statutory homeloss and disturbance payment (payable under sections 29 and 37 of the Land Compensation Act 1973) will be paid to tenants that are displaced from their homes due to the regeneration programme if they meet the statutory criteria. In instances where tenants choose to return to new homes on the estates under the Council's 'Right to Return Policy', they will not qualify for a second statutory homeloss or disturbance payment if they are returning voluntarily .

2.2 Right to Return Certificates

A right to return certificates may be issued to tenants on estates approved for regeneration programme where new homes are developed on the estate for social housing. The certificate is a commitment made by the Council to give preference to the tenants that are decanted from homes earmarked for demolition on the estate that meet the following conditions;

- The tenant was a secure tenant of the block on the date it was decided to demolish your home, and
- You either have no rent arrears at the time you are due to move back, or you have made arrangements to pay off your arrears and have been sticking to it for six months, and
- You do not move to a housing association property or to another borough, and
- There is suitable accommodation available for you. If there is not, you will be offered an equivalent home elsewhere within the borough, or the opportunity to return at a later date whenever a home becomes available. In each case the home you will be offered will be suitable for your needs at the time of the rehousing.

2.3 Criteria for moving households off the estate

The general rule is that the voids on the estate will be withdrawn from the Hackney Choice system and used to address all the decanting requirements on the estate. There are exceptional circumstances where a household may be moved off the estate. The exceptional circumstances are as follows:

- Where a household is assessed as requiring specialist homes such as ground floor level access, wheelchair standard homes to meet urgent health needs and there is none available on the estate.
- Where households have requested permanent rehousing off the estate.

2.4 Overcrowding

If a secure tenant being decanted on a temporary basis is assessed as overcrowded, attempts will be made to move the household into the right size of accommodation within the estate. There may be situations where it may not possible to offer a larger temporary accommodation. However, on the tenant's return to a permanent home, they will be moved into a suitable size home.

2.5 Criteria for moving adult children

Where a secure tenant is assessed as being overcrowded or where it is requested, it may be possible to offer adult child/children that are 18 years and older separate homes from their parents/guardians within the existing stock on the estates subject to available supply (this does not include new homes on estates). However, this is subject to available supply.

3. How Many Bedrooms?

3.1 General Bedroom Standard

During the regeneration programme efforts will be made to ensure that the size of the accommodation matches the size of the household as far as possible. The following standard will be used in assessing how many bedrooms a household needs:

- a)** A single bedroom accommodation such as a studio or bedsit is considered to be suitable housing for a single person.
- b)** A couple (no children) is considered to need a double bedroom.
- c)** Children and young people of the same sex and generation are expected to share a bedroom. Where there is an age gap of 15 years or more consideration will be given to provide an extra bedroom.
- d)** Children of different sexes are expected to share a bedroom until the oldest become 8 years of age.
- e)** There are instances where some of the new homes on the estates will be let according to the Parker Morris plus 10% standard where the Council has made a commitment to this effect and this obligation is reflected in the Principal Development Agreement and the Masterplan. In such instances, the relevant landlord (Housing Association) will inform the Council of the permitted number of persons for each unit when requesting nominations as per the Lettings Protocol with Genesis HA or other relevant RSLs).

3.2 Underoccupying Households

- 3.2.1** Where a tenant is underoccupying three bedrooms or more and in need of a one bedroom accommodation, an additional bedroom may be offered to the tenant where it is in the interest of the Council to agree this and the tenant has indicated that they would not move otherwise.

3.2.2 Where there are older tenants (in case of couples, one is over 55 years) residing in a two bedroom and have requested for the same size of accommodation but their assessed need is for a one bedroom, their request will be accepted subject to the following criteria being met:

- a) The tenant(s) have been satisfactory tenants of a Council or Registered Social Landlord for at least 15 years. In considering whether a tenant's conduct has been satisfactory the Council will take into account their behavior, any rent arrears and whether they have been the subject of any court action by their landlord.
- b) There is sufficient supply of this size of accommodation within the programme to accept the request.

3.3. Large Household

3.3.1 Where there is a shortage of large homes, two homes may be offered where it is acceptable to the household concerned. Where this is possible the following criteria must be met:

- There must be an adult who can hold the additional tenancy
- The new household must apply to join the housing register and be rehoused before the tenant.
- The remaining members of the household are made an offer of alternative housing.

4 The letting of new homes on the estates

4.1 The criteria for allocating new homes

4.1.1 The following criteria will be applied in the letting of new homes to ensure fairness, transparency and consistency:

- Those tenants that were moved to alternative homes on a temporary basis as part of the regeneration programme and issued with a right to return certificate to the new homes on the estate.
- Those requiring decanting to make way for the commencement of the next phase of the regeneration programme
- Where the demand for new homes within a particular site is higher than the number of available new homes, then by band date (which is the date

that the decants priority was awarded or in the case of those tenants that have a right to return to the new homes, the date that they were decanted from their original homes.)

Tenants that are moved permanently off the estate will not be considered for the new homes.

4.2 The use of surplus homes on the estate

4.2.1. Surplus vacant homes will initially be withdrawn from Choice Based Lettings to enable the Council to make direct offers in priority order to tenants on the estate. The Council's banding system will still apply to the lettings on the estate. The ring fencing of the vacant homes to tenants on the estate will help to address the wider housing need among the existing estate tenants who are receiving significantly less lettings than preferred.

4.3 Criteria for allocating surplus homes?

The criteria in which the direct offers will be made will be based on the priority band order as stipulated in the Council's Lettings Policy i.e. households in the highest ranked priority. In a situation where more than one household is in the same band (same level of priority), the household with the earliest band date (which is the waiting time) will be offered the property. The normal restriction for eligibility for transfer due to rent arrears and anti-social behaviour will still apply. Those in the 'Reserve Band' are considered to be adequately housed and therefore will not be considered for an offer.

4.4 The letting of surplus homes through CBL

- There would normally be a relet arising from existing vacant homes created due to normal transfers/rehousing of tenants within/off the estate. The vacant homes in the first instance will be offered and used to rehouse existing tenants on the regeneration estates in priority band order in line with the Council's lettings policy.
- The Lettings Manager will continue to provide shortlists of eligible households for transfer until all suitable applicants are exhausted. The Lettings Manager will then consider the property for a temporary licence.
- Tenants that are assessed and placed in the Reserve Band will not be considered for an offer of vacant homes on the estate.

- Where there are vacant homes that are not required to address assessed housing needs on the regeneration estate, the available homes will be advertised and let through CBL.
- All surplus new homes will in the first instance be used to address the decanting requirements on the estate and will not be advertised on the Hackney Choice system until this is completed.

5. Refusals

5.1 Rejections of offers of accommodation will not result in penalties but Hackney Homes staff is required to obtain reasons for refusal and provide these to the Council's Lettings Manager who will update the database to assist in preventing offers being made that will not be accepted.

6. Monitoring and Variation

6.1 The Council will monitor the impact of the local lettings policy, recording the key characteristic of each letting, e.g. priority band, case type, ethnicity.

6.2 The policy will be reviewed either when the next stage of regeneration on the estate is identified, or within a year if sooner.

7. Suspension and Withdrawal of the Scheme

7.1 The Council may suspend or withdraw the local lettings policy at any time.

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