

LOCAL LETTINGS POLICY

CLEADON PARK.

1. INTRODUCTION

Enterprise 5 Housing Association is registered with the Housing Corporation and manages property across the North East of England. The Association aims to provide affordable housing for people in need and the Association's Allocations Policy – General Needs regulates how we set priorities for rehousing in order to achieve this.

It is important to the Association and to its tenants that we create and maintain balanced and sustainable communities and we endeavour to do so on the estates that we manage.

The Allocations Policy acknowledges (s6.4) that as part of a strategy to regenerate an estate the Association may implement a "Local Lettings Policy".

The legal context for local lettings is set out in the *Homelessness Act 2002* and facilitates the allocation of accommodation to people who may not fall within the "reasonable preference" categories that underpin traditional allocations approaches.

A local lettings policy must still give reasonable preference to applicants in the reasonable preference categories and must not discriminate, directly or indirectly on racial or other equality grounds.

Where a Local Lettings Policy is proposed, it must be subject to consultation with tenants and approval by the Housing Corporation and Local Authority.

2. AIMS OF CLEADON PARK LOCAL LETTINGS POLICY

Cleadon Park estate will be subject to a major regeneration scheme that will take at least 5 years to complete. A significant number of the social rented units available on the estate will be demolished and the Masterplan for the estate envisages rebuilding the community in a way that is more inclusive and balanced than that which currently exists.

The new homes on the estate will be multi-tenure with owners, social renters and leaseholders living alongside each other. The new social rented accommodation that will be built will be owned and managed by Enterprise 5 HA.

This Local Lettings approach has been developed in consultation with members of the original community and will be used to achieve the following aims:

- To give previous tenants and owners who were displaced to facilitate the regeneration programme a degree of priority over other applicants for the newly built properties
- To give applicants for accommodation at Cleadon Park a degree of choice about the accommodation they would like

- To ensure a balanced community with accommodation for all ages and family types
- To ensure appropriate use of any stock which is particularly suited to people with medical or other special needs
- To support community cohesion by working to the strengths of the returning community
- To minimise the potential for crime and disorder on the estate
- To give groups of people with the greatest housing need reasonable preference in applying for any available homes
- To ensure an open and transparent approach which is fair and does not discriminate.

3. ACCESS TO THE WAITING LISTS

People who are interested in renting the properties at Cleadon Park will be encouraged to register with both Enterprise 5 and with the Local Authority as allocations will result from both nominations and direct applications.

Access to E5's waiting list is open to anyone who wishes to apply. Applications are reviewed on a six monthly basis and the application removed from the list if the applicant fails to confirm their desire to remain on the list.

4. L.A. NOMINATIONS

South Tyneside MBC has an agreement with Enterprise 5 that all first lettings (100%) of the new built properties will be to applicants nominated from the Local Authority's Housing Register.

The Authority has agreed that nominations will be made in accordance with the aims of this Local Lettings Policy.

The Local Authority will also have the right to make nominations to 70% of any vacancies that occur after first letting. Such nominations will also be governed by this Local Lettings Policy.

5. ELIGIBILITY FOR ALL ACCOMMODATION

Enterprise 5 will not allocate accommodation to:-

- a) People who are subject to immigration control under The Asylum & Immigration Act 1996 or other persons from abroad deemed ineligible by Government regulation.
- b) Anyone who has been guilty of unacceptable behaviour which is serious enough to make them unsuitable as a tenant. (For further clarification see the examples given at the end of this document).

Any such applications received will be deferred for a period of up to two years and removed from the waiting list. The applicant will receive a written explanation of the reasons for the deferral and advised of their right to have

the decision reviewed by the Housing Manager and if still dissatisfied, under the Association's Complaints procedure.

6. ELIGIBILITY FOR BUNGALOW ACCOMMODATION

In order to ensure that accommodation that is particularly suited to people with medical and other special needs, eligibility for bungalow accommodation will be restricted.

Wheelchair bungalows:-

- will only be allocated to applicants where a member of the family is a wheelchair user.

General family bungalows:-

- may be allocated to applicants where at least one member of the family is over 60 years of age.
- may be allocated to applicants where at least one member of the family has a medical condition that is adversely affected by their ability to live in their existing home or a new house on Cleadon Park.

Adapted properties:-

- Specially adapted property will only be allocated to a household requiring this form of accommodation. Nominations to these properties will be made by the Housing Occupational Therapists in the Council's Specialist Services.

7. FIRST LETS

This Local Lettings Policy is particularly applicable to the first letting of the newly built properties at Cleadon Park.

7.1 Choice for applicants

Applicants for accommodation at Cleadon Park will be given the opportunity to express a preference about the type, size and location of the home that they would like to live in.

Once the layout and mix of properties on each phase to be built has been confirmed, applicants who are eligible for the planned properties will be invited to express an interest in three properties.

E5 will allocate the properties taking into account applicant's expressed preferences and will endeavour to match preferences wherever possible.

Where an applicant's needs cannot be met on the available phase, they will be allowed to express a desire for a property in any later phase (subject to availability).

Applicants can apply for any properties that match their family size (see below). Where an applicant has good reason to apply for a property which is considerably larger than those available to them their case will be considered

on its merits (subject to their circumstances and demand for similar properties). Any decision that the applicant is unhappy with can be referred to the Housing Manager for review and then considered under the Association's Complaints procedure.

7.2 Priority for applications

The Masterplan for Cleadon Park estate clearly identifies the order in which the estate will be cleared and redeveloped (phases 1 - 5).

Any tenant or owner of a property on Cleadon Park who is required to move, in order that the area can be regenerated, will be asked to indicate whether they hope to return to the estate as an E5 tenant. Those who express a desire to return to Cleadon Park will be given priority to return. Those who state clearly that they do not wish to return to the estate will not be given any priority and will be considered alongside general waiting list applicants.

When the plans for each phase have been approved, applications for the new homes will be considered in the following order.

- Phase 1 - people who expressed a definite preference for returning
- Phase 2 - people who expressed a definite preference for returning
- Phase 1 + 2 – people who expressed an interest in returning but had reservations (eg. worrying about their ability to cope with two moves)
- Phase 3
- Phase 4
- Phase 5
- General waiting list

7.3 Priority between applicants

Where more than one person from the same priority phase expresses an interest in a particular property Enterprise 5 will decide which applicant should be successful taking into account:

- The relative needs of the families
- The size of the property available
- The availability of alternatives
- The balance within the community

The unsuccessful applicants will then be considered for their other choices and if necessary, be given the opportunity to express a preference for any other vacancy.

8. LETTINGS FROM THE GENERAL WAITING LIST

Assessment of the priority of applicants who have no previous connection with Cleadon Park will be assessed under the E5's Allocations Policy – General Needs.

9. DEFERMENT OF APPLICATIONS

Applicants will be deferred if there is proven evidence that they (or members of their household) have behaved in a way that would constitute a serious breach of the terms of a tenancy agreement or do not have the capacity to maintain an E5 tenancy, as long as such incidents occurred within the two years previous to the application.

Applications may also be deferred when there is evidence to suggest that the applicant has (deliberately) worsened their housing circumstances and have thereby gained higher priority on the waiting list.

In all cases, evidence of breach must be sought from the relevant authorities e.g. Police, landlords etc and clearly documented. A professional judgement will be made on each case, taking all of the circumstances into account and on the basis of the evidence available at the time.

An application can be deferred for up to a period of two years.

The Housing Manager will approve all deferrals and deferred applicants will be advised of their right of appeal under the Association's complaints procedure.

10. MATCHING PROPERTY SIZE TO FAMILY NEEDS

Each E5 property is designated according to its size and number of bed spaces. This designation will be used to match households to the appropriate property size. The table below illustrates the minimum and maximum property size that will normally be offered to each household type.

| Household Type | Property Size | |
|---|----------------|------------------|
| | Minimum | Maximum |
| Single person | 2 bed/3 person | 3 bed/4 person |
| Couple | 2 bed/3 person | 3 bed/4 person |
| Single parent family | 2 bed/3 person | 4 bed/6 person * |
| Two adults living together (not as a couple) | 2 bed/3 person | 3 bed/4 person |
| Family | 2 bed/3 person | 4 bed/6 person * |

** subject to number of children*

Households with children may be considered for a property which will provide a bedroom for each child.

Single parents with access to children will have their application treated as that of a single person.

In cases of relationship break-down, the parent with responsibility for any children will be expected to remain in any settled accommodation available. In cases of joint custody the parent with the majority of care and control will be treated as the family unit.

Pregnant women will have their needs assessed as a family on production of a valid certificate of pregnancy from their Doctor.

E5 aims to meet tenants' aspirations with regard to property size subject to competing priorities. The Association does not generally allow families to overcrowd a property at the outset of a tenancy.

11. APPEALS PROCEDURE

Anyone wishing to appeal against decision made under this policy may request a review of that decision by the Housing Manager. In the event that they are still dissatisfied with the outcome of the review, they will be able to raise a complaint under E5's Complaints' Policy. A complaint may be raised with any member of E5 staff who will record the details of the complaint and register the complaint with the Complaints' Officer.

An acknowledgement of the complaint will be issued within 2 working days.

Further details are available in a booklet "How To Make A Complaint" available from Enterprise 5 HA (telephone 0191 2922000).

12. MONITORING & REVIEW

It is anticipated that this Local Lettings Policy will remain in operation through the initial allocation of new build properties at Cleadon Park. The allocations will be monitored quarterly by the Cleadon Park Regeneration Scheme Sub-Group and the policy will be reviewed annually by the Cleadon Park Regeneration Scheme Partnership Board.

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Examples of unacceptable behaviour which is serious enough to suggest someone may be unsuitable as an E5 tenant.

- Evidence of a history of anti-social behaviour by the applicant or a member of their family which has caused or would be capable of causing nuisance or annoyance to any person.
- A history of persistent rent arrears as a result of not paying rent due in relation to a tenancy.
- Evidence of serious criminal activity such as theft, violence, threatening behaviour.
- Evidence of involvement in drug supply / dealing.
- Evidence of harassment of any person.

This list is only indicative and not exhaustive.