

LOCAL GOVERNMENT ACT 2000

**REGISTER OF URGENT
DECISIONS OF THE EXECUTIVE**

**NORTH DEVON COUNCIL CONSTITUTION
– APPENDIX 12**



Reference

No: 2013/07

(for completion by Democratic
Services only)

SUBJECT: LOCAL LETTINGS PLAN FOR ST JOSEPH, BARNSTAPLE

Background

St Joseph was granted planning permission for development of 36 units – 9 shared ownership and 27 social rented units.

The mix of units is as follows:

- 6 x 4 bedroom houses (2 x disabled adapted properties)
- 3 x 3 bedroom houses
- 5 x 2 bedroom houses
- 2 x 2 bedroom ground floor flats
- 2 x 2 bedroom first floor flats (no lift)
- 3 x 1 bedroom ground floor flats
- 3 x 1 bedroom first floor flats (no lift)
- 3 x 1 bedroom second floor flats (no lift)

Allocation of social housing is done via Devon Home Choice (DHC) – choice based letting scheme that covers the whole of Devon. DHC is a partnership between the 10 Devon local authorities and housing associations working in Devon. The aims of DHC are to provide:

- Choice for people seeking housing and the ability to move within Devon
- Common scheme across Devon that is transparent, easy to understand and accessible to all

Under DHC there is a common:

- Application form
- Housing register
- Approach to assessing housing need and awarding priority
- Approach to advertising available properties

Section 4.7 of the DHC policy outlines labelling of properties and specifically mentions local lettings plan from 4.7.3 to 4.7.9 as detailed below:

4.7.3 There may also be occasions where 'local letting policies' need to be applied by Devon Home Choice partners.

4.7.4 Local letting policies may include a system to ensure a mix of household types, for example the number of children in order to ensure that there are not too many within a particular area. Where agreements have been reached

adverts will clearly state how such schemes will be allocated and the applicants eligible to bid.

4.7.5 Local letting policies may be introduced where a new estate has been built in order to help create a new community. Alternatively, a local letting policy may be required where there are issues that have occurred within an established community, and action is required to assist that community to become sustainable.

4.7.6 The decision to undertake a local letting policy will be made by the partners involved including the local authority's housing department.

4.7.7 Whilst being designed to reflect local needs, local letting policies will still be compatible with the aim of meeting housing need in Devon as well as the requirements of relevant 'Codes of Guidance.'

4.7.8 The use of local letting policies should not lead to vulnerable households being disadvantaged but lead to increased tenancy sustainability.

4.7.9 Further information can be obtained from the relevant local authority.

Meeting held 26th February 2010, with representatives from Sanctuary Housing Association and North Devon District Council where it was agreed that 'NDC Executive Committee will consider the submission of a local lettings policy in due course to ensure the establishment of a sustainable community'.

Sanctuary Housing Association provided an initially draft of a Local Lettings Plan in December 2011 and discussions have since taken place to finalise the plan.

RECORD OF THE DECISION TAKEN:

Approved that:

- Local Letting Plan as attached is approved for initially lettings on properties at St Joseph, Barnstaple

STATEMENT OF THE REASONS FOR IT:

Meeting held 26th February 2010, with representatives from Sanctuary Housing Association and North Devon District Council where it was agreed that 'NDC Executive Committee will consider the submission of a local lettings policy in due course to ensure the establishment of a sustainable community'.

REASON FOR URGENCY:

We have recently been advised that some of the properties will be available early and ready to be advertised on Devon Home Choice. Any delay could affect funding arrangements. There is no Executive meeting, that would enable the plan to be agreed.

ANY ALTERNATIVE OPTIONS CONSIDERED AND REJECTED:

None

A RECORD OF ANY CONFLICT OF INTEREST DECLARED:

None

A NOTE OF ANY DISPENSATION IF GRANTED:

Not applicable

THE CHAIRMAN OF THE OVERVIEW AND SCRUTINY COMMITTEE WAS NOTIFIED AND HIS CONSENT WAS OBTAINED ON:

22nd March 2013 - Councillor Biederman.

LIST OF BACKGROUND PAPERS (BUT NOT INCLUDING PUBLISHED WORKS OR THOSE WHICH DISCLOSE EXEMPT OR CONFIDENTIAL INFORMATION (AS DEFINED IN RULE 10 OF APPENDIX 15 (ACCESS TO INFORMATION PROCEDURAL RULES) AND THE ADVICE OF A POLITICAL ADVISOR):

- Devon Home Choice Policy
- Local Lettings Plan

DATE THAT DECISION WAS TAKEN:

21st March 2013.

NAME OF DECISION TAKER:

Councillor Greenslade - Leader.

NOTE: ALL REFERENCES TO SUB-PARAGRAPHS REFER TO APPENDIX 12 OF THE CONSTITUTION

PROCEDURE FOR DECISIONS WHICH MAY BE CONTRARY TO ADOPTED PLANS AND STRATEGIES (INCLUDING THE BUDGET):

1. The Chief Executive or Executive Director must notify the Leader/Deputy Leader/Other Executive Member.
2. The Leader/Deputy Leader/Other Executive Member must approve the use of the procedure and notify the Chief Executive or Executive Director of his approval together with his reasons.

3. **The Chief Executive or Executive Director must notify the Chairman of the Overview and Scrutiny Committee or if unable to act the Chairman of Council or if absent the Vice-Chairman to seek his determination as to whether the conditions detailed in paragraph 1.1 (b) (i), (iii) or (iv) are satisfied.**
4. **The Chairman of the Overview and Scrutiny Committee or if unable to act the Chairman of Council or if absent the Vice-Chairman, must confirm to the Chief Executive or Executive Director in writing that the proposed decision is urgent and that either of the conditions identified in paragraph 1.1 (b) (iii) or (iv) have been satisfied, the Chief Executive or Executive Director shall advise the Leader, Deputy Leader or other member of the Executive that the decision may be taken by a person or body possessing a relevant power to make such a decision.**

PROCEDURE FOR DECISIONS WHICH ARE WITHIN THE ADOPTED PLANS AND STRATEGIES (AND CAN NOT BE INCLUDED IN THE FORWARD PLAN):

1. **If the Chief Executive or Executive Director considers that the conditions in sub-paragraph 2.1 are satisfied, he must notify the Proper Officer of the need for the decision, the reasons why it was impracticable for it to be included in the Council's Forward Plan, and whether or not the decision is required to be taken within five working days.**
2. **On receiving the notification, under sub-paragraph 2.3 and where satisfied that no decision is required to be taken for five working days, the Proper Officer shall:**
 - (a) **notify in writing the Chairman of the Overview and Scrutiny Committee or if there is no such person, each Member of the Overview and Scrutiny Committee, with particulars of the proposed decision, the reasons for its urgency and the reasons for it being impracticable to include in the Council's Forward Plan;**
 - (b) **make available for public inspection at the Council offices a copy of the written notice given to the Chairman of the Overview and Scrutiny Committee about the decision.**
3. **Decisions to which sub paragraph 2.4 applies, shall not be made until after five working days have elapsed following publication of the proposed decision under 2.4 (b) of Appendix 12 in the Constitution.**
4. **Where it appears to the Chief Executive or Executive Director that an urgent decision-**

- (a) meets the requirements of sub-paragraph 2.1 of Appendix 12 of the constitution; and**
- (b) because of the urgency cannot be deferred for five working days,**

he shall seek the agreement and confirmation in writing on both those points from-

- (c) the Proper Officer; and**
- (d) the Chairman of the Overview and Scrutiny Committee or in his absence the Chairman of Council or if there is no Chairman the Vice-Chairman of Council;**

and the person or body possessing a relevant power to make the decision may proceed to make it only when the necessary agreement and confirmation have been obtained.

LOCAL LETTINGS PLAN

Between North Devon District Council and Sanctuary Housing for St Joseph's Close, Landkey Road, Barnstaple

Purpose of the Local Lettings Plan

This Local Lettings Plan has been prepared to assist in the initial lettings of 27 affordable homes at Landkey Road, Barnstaple. The contents of this document will be used to prepare the advert for promoting the development under the choice based lettings plan, and will assist with the final selection of successful applicants.

Breakdown of Property Types

There are 27 units of accommodation.

- i) 4 x 4 bedroom houses (max. 6 person)
- ii) 2 x 4 bedroom adapted houses (max 6 person)
- iii) 3 x 3 bedroom houses (max 5 person)
- iv) 5 x 2 bedroom houses (max 4 person)
- v) 2 x 2 bedroom ground floor flats (max 3 person)
- vi) 2 x 2 bedroom first floor flats (max 3 person)
- vii) 2 x 1 bedroom ground floor flats (max 2 person)
- viii) 1 x 1 bedroom ground floor flat (max 1 person)
- ix) 2 x 1 bedroom first floor flats (max 2 person)
- x) 1 x 1 bedroom first floor flat (max 1 person)
- xi) 2 x 1 bedroom second floor flats (max 2 person)
- xii) 1 x 1 bedroom second floor flat (max 1 person)

Additionally, there are 9 shared ownership properties, which do not form part of this plan.

Objectives of the Local Lettings Plan

The objectives of this Plan are:

- i) to achieve a balanced community in terms of economic activity.
- ii) to attain a mixture of child density and occupancy levels.
- iii) to free up social housing in North Devon through downsizing.
- iiii) to ensure applicants with a local connection to North Devon are prioritised over applicants without such a local connection.

This will be achieved by applying the following criteria

- I. A target for 30% of the properties to have at least one member of the household in employment. Employment is defined as employment other than of a casual nature. For the purpose of this Plan this will be defined as having had permanent work with a minimum of a 16 hour contract per week for previous 6 months and without a break in the period of employment for more than three months.
- II. First floor flats will not be allocated to families with children under 5 years of age.
- III. Families with a maximum of 1 child will be considered for the 2 bedroom flats.
- IV. Families with a maximum of 2 children will be considered for the 2 bedroom houses.
- V. Families with a maximum of 3 children will be considered for the 3 bedroom houses.
- VI. Priority will be given to downsizing applicants freeing up social housing in North Devon.
- VII. Priority will be given to applicants with a local connection to North Devon by either of the following criteria:
 - Residence. Local connection is defined as having been resident in North Devon for 6 of the last 12 months, or 3 of the last 5 years.
 - Work in North Devon. The Local Government Association guidelines define this as employment other than of a casual nature. For the purpose of this policy this will be defined as having had permanent work with a minimum of a 16 hour contract per week for the previous 6 months, and without a break in the period of employment for more than three months
 - Have family connections to North Devon. The Local Government Association guidelines define this as immediate family members (parents, siblings and non-dependent children) who have themselves lived in area for five years

Allocation Process

With the exception of the 2 adapted houses, adverts will be prepared for submission to the Devon Home Choice based lettings scheme in phases. The adverts will illustrate the property types available for letting, together with a brief summary of the local lettings policy as detailed in this document. The standard information with regard to property attributes and rent levels will also be included in the advert.

Applicants will be permitted to bid for the properties in line with the Devon Home Choice procedure.

Upon closure of the bidding process applicants will appear on the short-list 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 the band, and the household's ability to meet the overall aims and objectives of this lettings plan. This may require some applicants to be considered before others irrespective of their relevant banding and dates, to ensure compliance with the local lettings plan.

Future Lettings

Future vacancies will be let in line with Devon Home Choice policy.