

**NEWCASTLE-UNDER-LYME BOROUGH COUNCIL**  
**EXECUTIVE MANAGEMENT TEAM'S REPORT TO CABINET**

**Date**                      **7<sup>th</sup> June 2017**

1.    **HEADING**                      **Crackley Local Lettings Plan**
- Submitted by:**                **Abid Razaq**
- Portfolio:**                      **Planning and Housing**
- Ward(s) affected:**            **Chesterton**

**Purpose of the Report**

To enable Cabinet to consider implementing a Crackley Local Lettings Plan in partnership with Aspire Housing, to allocate properties on the proposed development at Birch House Road, Crackley.

**Recommendations**

- (a) **That the disposal of the land at Birch House Road, Crackley to Aspire Housing for the development of affordable housing progresses alongside further discussions with Aspire on the nominations process and possible Local Letting Plan.**
- (b) **That the Executive Director for Regeneration and Development is authorised in conjunction with the Portfolio Holder for Planning and Housing to finalise the Local Lettings Plan and nominations process with Aspire Housing.**

**Reasons**

To review progress with discussions with Aspire Housing for the transfer of the site to enable the comprehensive development of affordable housing. Thus enabling the Portfolio Holder to consider the key points around the nominations and proposed local lettings plan prior to the disposal of the site.

1.    **Background**

- 1.1    In January 2017 Cabinet considered progress with the delivery of the approved Asset Management Strategy. Part of this consideration was given to the consultation responses to the potential disposal of the former Crackley Community Centre and it was agreed that disposal could proceed. As members will be aware Aspire Housing own the adjoining cleared land which previously housed small retail units and a closed public house. Aspire Housing have been preparing proposals to regenerate the area (which has suffered with antisocial behaviour) and are proposing redevelopment of the area for affordable housing. Should the Council dispose of its site to Aspire Housing this will enable a more comprehensive redevelopment to support the regeneration objectives. Subject to planning permission, indicative plans show that the development could be for 30 affordable housing units, consisting 10 x 2 Bed 2 person house; 12 x 3 Bed 3 person house; 2 x 2 Bed 3 person bungalows; 6 x 1 Bed 2 person flats. The flats and bungalows are designed for older people.
- 1.2    The Council has a Housing Allocations Policy, which was reviewed and updated in 2015. This policy is used to prioritise applicants who register on the housing waiting list and is used as a basis to make nominations to social and affordable rented properties.

- 1.3 The allocation policy follows the statutory guidance and gives priority to applicants who are in 'statutory reasonable preference categories'; these are groupings of people that are recognised in law to be in greatest housing need. However, in certain limited instances, councils and housing providers are permitted to use 'local lettings plans' to make allocations outside of their general allocation policy. This is done where there are 'wider policy' reasons; such as the promotion of greater choice and wider options, or the utilisation of existing housing stock to its full potential, or the creation of more mixed and sustainable communities.

## 2. **Issues**

- 2.1 As part of the approval of the updated Asset Management Strategy, Officers were authorised to proceed with certain disposals in liaison with the relevant Portfolio Holder. On consideration of the site at Birch House Road officers consider that disposal to Aspire Housing is the most appropriate way forward because it will facilitate delivery of a comprehensive redevelopment solution to bring forward much needed affordable housing. Normally the Council would request 100% nominations on a new build affordable housing site; however as the proposals are to develop the Council and Aspire sites comprehensively the nominations could be calculated over the whole site. As part of the emerging plans for the site it is proposed that further discussions take place with Aspire Housing to consider reasonable nomination rights.
- 2.2 Aspire Housing have requested that a local lettings plan is implemented to create sustainable tenancies that both enhance the quality of life for existing residents, nearby neighbours and help to create a balanced community that blends in with and complements the existing local population. Aspire Housing intend to have a Local Letting Plan on their part of the development, it is therefore appropriate to discuss suitable allocations and management of the properties being developed on the land transferred from the Council.
- 2.3 Both the Council and Aspire Housing are mindful of the best practice that surrounds the formulation of a local letting plan; and have carefully considered the publication by the Chartered Institute of Housing; "Allocations and Local Flexibility" 2010. This states that although Local lettings plans can be an important tool in response to specific local circumstances, if used:
- their nature and scope must be published. This is the requirement to be transparent and to show a rational link between the objectives that the local letting policy intends to achieve and its' criteria of allocation.
  - it must carefully consider any equalities implications likely to arise from the policy, whereby direct or indirect discrimination is likely to occur.
  - it should be for a limited time period, after which should be reviewed to assess whether the policy objectives have been achieved.
- 2.4 Through discussions with Aspire Housing the Council will seek to ensure that any Local Lettings Plan will support the sustainability of the new development by ensuring allocations are made to suitable families and older people are supported to down size.
- 2.5 Aspire Housing have spoken with the resident groups and key stakeholders within Chesterton who are supportive of the principles contained within the plan. Furthermore, Aspire Housing will also formally consult with their Customer Panel in June 2017 and the responses of this consultation will be incorporated into the final published plan.

## 3. **Proposal and Reasons for Preferred Solution**

3.1 To proceed with the disposal of the site to Aspire Housing to enable the development of affordable housing for local people.

3.2 To authorise officers in conjunction with the Portfolio Holder for Planning and Housing to discuss a potential Local Lettings Plan for the site and suitable nominations process to ensure a balanced and proportionate approach to meeting local needs.

4. **Outcomes Linked to Sustainable Community Strategy and Corporate Priorities**

4.1 Managing effective housing nominations and allocations contributes to the Council's corporate priorities to provide a borough of opportunity, a healthy and active community and becoming a co-operative Council, delivering high quality community driven services.

5. **Legal and Statutory Implications**

5.1 It is a statutory requirement that Local Authorities have an Allocations Policy under Part VI of the Housing Act 1996. Any local lettings plans should have regard to this legislation.

The Allocation of Accommodation: Guidance for Local Housing Authorities in England (DCLG), June 2012 states:

"4.21 Section 166A(6)(b) of the 1996 Act enables housing authorities to allocate particular accommodation to people of a particular description, whether or not they fall within the reasonable preference categories, provided that overall the authority is able to demonstrate compliance with the requirements of s.166A(3). This is the statutory basis for so-called 'local lettings plans' which may be used to achieve a wide variety of housing management and policy objectives."

5.2 Section 123 of the Local Government Act 1972 (as amended) requires that Councils achieve 'best consideration' when disposing of their land.

5.3 The Local Government Act 2000 (as amended) provides Councils with powers to achieve the social, economic or environmental well-being of their area.

6. **Equality Impact Assessment**

6.1 The Council and Aspire Housing will consider the impact of the proposed plan as part of the development of the process.

7. **Financial and Resource Implications**

7.1 Due to the location of the site and the risks associated with offering properties for sale in this market there are no shared ownership or market sale units proposed. The development of the affordable housing on the site will require significant investment from Aspire Housing as part of their place-shaping development in a priority neighbourhood. To support this approach and to ensure that the scheme can be delivered on commercially realistic terms it is proposed that the site is transferred to Aspire at nil cost.

8. **Major Risks**

8.1 The purpose of implementing a Local Lettings Plan is to ensure that the newly developed properties are sustainable and to reduce the risks that the site becomes a future target for antisocial behaviour and further deprivation.

9. **Key Decision Information**

9.1 This is not a key decision.

10. **Earlier Cabinet/Committee Resolutions**

10.1 January 2017 – Cabinet approval of the disposal of the site. <http://moderngov.newcastle-staffs.gov.uk/ieListDocuments.aspx?CId=118&Mid=2773&Ver=4>

11. **List of Appendices**

11.1 None

12. **Background Papers**

12.1 DCLG guidance on allocations <https://www.gov.uk/government/publications/allocation-of-accommodation-guidance-for-local-housing-authorities-in-england>

12.2 Part VI of the Housing Act 1996 - <http://www.legislation.gov.uk/ukpga/1996/52/part/VI>

12.3 Information on the possible issues to be covered in the draft Local Lettings Plan as available from Housing Strategy on request.