

**FORM 1**

**NOTICE OF DELEGATION OF DECISION TO CABINET MEMBER BY STRONG LEADER**

Section 15(4) of the Local Government Act 2000, the senior executive member may discharge any of the functions that are the responsibility of the Cabinet or may arrange for them to be discharged by another member of the Cabinet or Officer. On 1<sup>st</sup> December 2010, the Council adopted the Strong Leader Model for Corporate Governance 2011 as required under Part 3 of The Local Government and Public Involvement in Health Act 2007 (The 2007 Act).

I, Cllr Helen Dyke, as Strong Leader, delegate the decision to agree the recommendation of the Local Letting Plan report to the Cabinet Member detailed below:

Cabinet Member- Councillor Nicky Martin

Dated: 24<sup>th</sup> May 2022

Signed: ...  .....

Leader of the Council

**NOTICE OF DECISION OF CABINET MEMBER**

Pursuant Section 15(4) of the Local Government Act 2000, as amended by section 63 of the Local Government and Public Involvement in Health Act 2007, the senior executive member may discharge any of the functions that are the responsibility of the Cabinet or may arrange for them to be discharged by another member of the Cabinet or Officer. On 1<sup>st</sup> December 2010, the Council adopted the Strong Leader Model for Corporate Governance 2011 as required under Part 3 of The Local Government and Public Involvement in Health Act 2007 (The 2007 Act).

In accordance with the authority delegated to me by the Leader, I have made the following decision:

<b>Subject</b>	<b>Decision</b>	<b>Reason for decision</b>	<b>Date for Decision to be taken</b>
Local Letting Plans	Local Lettings Plan are agreed by the Head of Strategic Growth where they are concerned with achieving a balanced, sustainable community	On existing and new developments there may be a requirement to deviate the allocations policy for the purposes of creating a balanced and sustainable community. This enables a mix of households registered on Home Choice Plus (the housing register) to be nominated for housing to a Registered Provider in line with a specific short term plan.	asap

**I confirm that the appropriate statutory officer consultation has taken place with regard to this decision.**

Dated: 24<sup>th</sup> May 2022



Signed: .....

Councillor: Nicky Martin.....  
Cabinet Member

## LOCAL LETTINGS PLANS

<b>CABINET MEMBER:</b>	Cllr Nicky Martin, Cabinet Member for Housing, Health, Wellbeing and Democratic services
<b>RESPONSIBLE OFFICER:</b>	Kate Bailey -Head of Strategic Growth 01562 732560
<b>CONTACT OFFICER:</b>	Barbara Sarbinowska - Principal Strategic Housing Officer. <a href="mailto:Barbara.Sarbinowska@wyreforestdc.gov.uk">Barbara.Sarbinowska@wyreforestdc.gov.uk</a> 01562 732181

### 1. **PURPOSE OF REPORT**

- 1.1 The purpose of this report is to agree the process for agreeing to Local Letting Plans on new and existing housing developments. This includes the delegation of powers to approve and adopt Local Lettings Plans (LLP) to the Head of Strategic Growth.

### 2. **RECOMMENDATION**

- 2.1 The Cabinet Member for Housing, Health, Wellbeing and Democratic Services is asked to decide that:

LLPs are agreed by the Head of Strategic Growth where they are concerned with achieving a balanced, sustainable community

### 3. **BACKGROUND**

- 3.1 The Council has previously adopted the Allocations Policy for the allocation of all social housing in Wyre Forest district, the aim of the Allocations Policy, whilst meeting legislative requirements as required by Part VI Section 167 of the Housing Act 1996, is to make best use of the limited supply of social housing becoming vacant each year by providing a simple, transparent priority system based on clear criteria which determines an applicant's place within the allocations scheme.
- 3.2 The purpose of an LLP is to outline when the Council will deviate from its Allocation Policy to allocate housing. Usually this will be a new build development.
- 3.3 LLPs will ensure existing communities remain balanced and sustainable and are not destabilised by the letting of concentrations of any one group to a new build within an area.
- 3.4 By giving priority to those with a local connection to an area helps to ensure that the needs of the local and wider community are reflected in the new development.

3.5 The Local Lettings Plans and Rural Housing Policy 2021 was adopted in September 2021. This had the effect of deviating from the Council's Allocation Policy to allow for the entering into LLPs to achieve the specific purposes set out in the Policy. The criteria set out in the LLP and RH Policy are applied each time an LLP is agreed.

#### 4. **KEY ISSUES**

- 4.1 To date, LLPs have been agreed via O&S and Cabinet or Strong Leaders Report however, as the number of schemes coming forward and the pace of building work increases in the district this will not be a practical method of adoption as LLPs are often time consuming to reach agreement with the relevant Registered Provider but need to be entered into as soon as they are agreed to prevent any delays to allocation and occupancy.
- 4.2 LLPs will be included in the s106, in so much that where any scheme requires an LLP the developer will be obliged to notify the Council as soon as the Registered Provider contracts with the developer to acquire the affordable housing units, enabling the Council to begin agreeing an LLP earlier and to restrict occupation until an LLP is in place. By working in this manner, it is envisaged that delays will be kept to a minimum.
- 4.3 LLPs ensure best use of new housing stock by only letting to those in housing need in a fair and equal manner to local residents. An LLP will always take into account the implications for equal opportunities and the need to ensure that the Council is able to meet the allocation needs of those owed a Reasonable Preference.

Examples of, but not restricted to, possible LLPs:

The following are examples of LLPs that could be employed in covering an area, estate, or block:

- Where the Property forms part of a rural housing scheme on an exception site or in an area designated as rural by statutory instrument.
- Where age restrictions apply for example supported housing.
- Restrictions on lettings to certain households where there is already a concentration of this household type, and it is having an impact on the community (evidenced by Police or Registered Provider).
- Preference to families under occupying their existing tenancy to free up additional units of housing stock.
- Preference to families and individuals with an assessed medical need who require ground floor accommodation or adapted accommodation.

- Restrictions on lettings to childless households where there are high concentrations of children and young people living on a specific estate or scheme.

- 4.4 When a specific LLP is required that sits outside of these basic parameters, for example no local connection is required, the LLP will be treated as an Extraordinary LLP and the Head of Strategic Growth will revert to our current process, therefore bringing a report to the relevant committees, O & S and Cabinet or via Strong leader.
- 4.5 The Council is currently experiencing an increase in planning applications for new development sites. Sites with 10 or more houses are required to have an element of affordable housing and it is important to the Council those new developments encourage stability and sustainability of new communities.
- 4.6 The application of a LLP helps to ensure that the new community aligns smoothly with the existing community creating a balanced and cohesive community. They also work to ensure that current and future residents feel safe and content in their homes, to make the best use of housing stock and to reduce unnecessary turnover and potential refusals of properties.
- 4.7 LLPs ensure that 100% of the initial and a percentage of subsequent nominations of occupiers of the affordable housing units for rent are registered on the Councils Housing Register, Home Choice Plus.
- 4.8 All LLPs will be available on the Home Choice Plus website. A link will be established between HC+ and our website to access them.

## **5. FINANCIAL IMPLICATIONS**

- 5.1 Costs in relation to this agreement will be met by existing budgets.

## **6. LEGAL AND POLICY IMPLICATIONS**

- 6.1 The LLPs will ensure that delivery of the affordable housing is fair and equal and in line with other relevant policies.
- 6.2 The Council is required to hold a Housing Register and have an Allocations Policy under Housing Act 1996. The statutory code of guidance, Allocation of accommodation: guidance for local housing authorities in England (DCLG, 2012 as amended) states: "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 policies' which may be used to achieve a wide variety of housing management and policy objectives."

- 6.3 The overarching setting of the circumstances in which an LLP may be appropriate has been determined by members. Officers are seeking authority to agree site specific LLPs, which themselves have the effect of deviating from the Council's allocations policy for a particular development, but only in accordance with the overarching agreed policy and LLPs will be subject to review in accordance with it.

## **7. EQUALITY IMPACT NEEDS ASSESSMENT**

- 7.1 An Equality Impact Needs Assessment has been undertaken and this indicates there are no adverse effects of this decision on any groups with protected characteristics, so a full EIA is not required.
- 7.2 If the particular LLP does concern any protected characteristic group, a separate EIA's screening will be undertaken, and full EIA completed where the screening indicates that one is necessary

## **8. RISK MANAGEMENT**

- 8.1 LLPs will be reviewed every 3 years to ensure they are in line with the Housing Register - Home Choice Plus local connection criteria and allocation policy and the Local Plan 2016 – 2036.
- 8.2 As part of risk management all LLPs will be open, equal, and fair and will be in line with the Housing Register – Homes Choice Plus Allocations Policy.

## **9. CONCLUSION**

- 9.1 By having this agreement in place it will ensure LLPs are agreed in a timely manner and fit for purpose ensuring much needed affordable housing is allocated and occupied as quickly as possible to local residents on our housing waiting list.
- 9.2 By deviating away from the Allocations Policy this agreement addresses the issues of supporting the development of balanced and sustainable communities across the district and ensuring affordable housing is available to local residents through the use of LLPs.

## **10. CONSULTEES**

- 10.1 Statutory Officers

## **11. BACKGROUND PAPERS**

- 11.1 Local Lettings Plans and Rural Housing Policy 2021