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To: Chair & Members of the Customer  
Services Scrutiny Committee

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Thursday, 1<sup>st</sup> December 2022

Dear Councillor

**CUSTOMER SERVICES SCRUTINY COMMITTEE – MONDAY, 12TH DECEMBER,  
2022 AT 10:00 HOURS**

I refer to your recently circulated agenda for the above meeting and now enclose a copy of the papers which were marked 'To Follow'.

*Item 11 – Local Lettings Policy – New Builds*

Yours faithfully



Solicitor to the Council & Monitoring Officer

## **Equalities Statement**

Bolsover District Council is committed to equalities as an employer and when delivering the services it provides to all sections of the community.

The Council believes that no person should be treated unfairly and is committed to eliminating all forms of discrimination, advancing equality and fostering good relations between all groups in society.

### **Access for All statement**

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## **CUSTOMER SERVICES SCRUTINY COMMITTEE**

*Monday, 12th December, 2022 at 10:00 in the Council Chamber, The Arc,  
Clowne*

<b>Item No.</b>	<b>PART 1 – OPEN ITEMS</b>	<b>Page No.(s)</b>
<b>11.</b>	<b>Local Lettings Policy - New Builds</b>	<b>4 - 15</b>



**Bolsover District Council**

**Meeting of the Customer Services Scrutiny Committee on 12th December 2022**

**Local Lettings Policy – New Build**

**Report of Victoria Dawson, Assistant Director Housing Management and Enforcement for Housing**

<b>Classification</b>	This report is Public
<b>Report By</b>	Victoria Dawson, Assistant Director Housing Management and Enforcement, 01246 242231 <a href="mailto:victoria.dawson@bolsover.gov.uk">victoria.dawson@bolsover.gov.uk</a>
<b>Contact Officer</b>	Victoria Dawson, Assistant Director Housing Management and Enforcement, 01246 242231 <a href="mailto:victoria.dawson@bolsover.gov.uk">victoria.dawson@bolsover.gov.uk</a>

**PURPOSE/SUMMARY OF REPORT**

To consider and provide comment on the draft Local Lettings Policy for new build properties across the District.

**REPORT DETAILS**

**1. Background**

- 1.1 Bolsover District Council has set an ambition to deliver 150 new homes by March 2024. Sites have been developed in key locations, with a mixture of property type to reflect the housing need in that specific location.
- 1.2 Allocations to new developments require a mix of tenants to create sustainable communities and to give priority to local people.
- 1.3 The Council’s Allocations Policy provides the overall framework for lettings of council properties. Local lettings policies allow the Council to respond to local needs and have a localised approach to the management of specific property types. Local lettings policies may give preference for offers of accommodation to defined groups of customers, for example, on the basis of their age, employment status or local connection to an area.

**2. Details of Proposal or Information**

- 2.1 The Council’s Allocations Policy ensures that people in most need are placed in the reasonable preference categories and are able to access council accommodation, therefore this Local Lettings Policy will be used in conjunction with the Council’s Allocations Policy.

- 2.2 The Local Lettings Policy – New Build Properties (Appendix 1) details the method of allocating the new build properties, to those who live in or have a strong connection to the ward where the new properties are located, in the first instance.
- 2.3 The strong local connection criteria will include;
- Living within the ward where the new build homes are located (for the past 3 years)
  - In paid work in the ward – (for the past 3 years)
  - Has a close family member (parents, grandparents or children) living in the ward – (for the past 3 years)
  - Can demonstrate a strong local connection having lived in the area for five years e.g. lived in the area as a child and then moved away
- 2.4 If there are no applicants in the categories above, the properties will be allocated in accordance with the Council Allocations Policy, in order of priority banding and waiting time.
- 2.5 Applicants will bid for properties, via the Choice Based Lettings system. They will undergo a first stage assessment based on the Council’s usual Allocations Policy. Successful shortlisted applicants will then be required to undergo a second stage selection process based on the criteria set out in this Local Lettings Policy before any offer of accommodation is made. This will require the applicant to attend an interview with the Housing Needs Assistants and Housing Tenancy Assistant for the area.
- 2.6 It is intended that the Local Lettings Policy will apply to any new build property built or acquired by the Council and any other new build schemes in the District owned/managed by the Council. However where there is a property with adaptations, this will be excluded and allocations will be through the Housing Allocation and Review Panel (HARP) as set out in the Allocation Policy.

### **3. Reasons for Recommendation**

- 3.1 The new properties have been built to reflect the housing need in specific locations, and it is considered necessary to have a Local Lettings Policy to manage the allocation of these. This ensures that priority is given to those with a local connection to the area in the first instance to meet the housing need and demand, with an option for allocations to then take place in accordance with the Allocations Policy.

### **4 Alternative Options and Reasons for Rejection**

- 4.1 The alternative option is to let new build properties without a Local Lettings Policy which would not achieve the desired outcomes in terms of letting properties to local communities, where there is an identified need.

**RECOMMENDATION(S)**

- 1. That the Customer Services Scrutiny Committee review and provide comments on the draft Local Lettings Policy prior to Executive approval and formal adoption.

Approved by Cllr Sandra Peake – Portfolio Holder for Housing

**IMPLICATIONS:**

**Finance and Risk:**            Yes             No

**Details:**

There are no additional financial implications arising from this report

On behalf of the Section 151 Officer

**Legal (including Data Protection):**            Yes             No

**Details:**

The Council must abide by the Housing Act 1996, as amended, in developing its allocations scheme, including local lettings policies. Local lettings policies may be used to achieve a wide variety of housing management and policy objectives. However, the Council must have regard to its duties under equalities legislation, as well as the requirement to give overall priority for allocations of social housing to people in the reasonable preference (housing need) categories, including homelessness, medical need or overcrowding. This is achieved through the Council’s approach to lettings across the wider District area.

On behalf of the Solicitor to the Council

**Environment:**

Please identify (if applicable) how this proposal/report will help the Authority meet its carbon neutral target or enhance the environment.

**Details:** N/A

**Staffing:**            Yes             No

**Details:**

There are no staffing implications arising from the report or Policy.

On behalf of the Head of Paid Service

## DECISION INFORMATION

<p><b>Is the decision a Key Decision?</b>          A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds:</p> <p><b>Revenue - £75,000</b> <input type="checkbox"/> <b>Capital - £150,000</b> <input type="checkbox"/>  <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i></p>	No
<p><b>Is the decision subject to Call-In?</b>  <i>(Only Key Decisions are subject to Call-In)</i></p>	Yes

<p><b>District Wards Significantly Affected</b></p>	<p>(please state which wards or state All if all wards are affected)</p>
<p><b>Consultation:</b>  <b>Leader / Deputy Leader</b> <input checked="" type="checkbox"/> <b>Executive</b> <input checked="" type="checkbox"/>  <b>SLT</b> <input type="checkbox"/> <b>Relevant Service Manager</b> <input type="checkbox"/>  <b>Members</b> <input type="checkbox"/> <b>Public</b> <input type="checkbox"/> <b>Other</b> <input type="checkbox"/></p>	<p>Details:          Customer Services Scrutiny</p>

<p><b>Links to Council Ambition: Customers, Economy and Environment.</b></p>
<p>Customers</p> <ul style="list-style-type: none"> <li>• Increasing customer satisfaction with our services</li> <li>• Providing good quality council housing where people choose to live</li> </ul> <p>Economy</p> <ul style="list-style-type: none"> <li>• Enabling Housing Growth: increasing the supply, quality and range of housing to meet the needs of the growing population and support economic growth</li> <li>• Making the best use of our assets</li> </ul>

<p><b>DOCUMENT INFORMATION</b></p>	
<p><b>Appendix No</b></p>	<p><b>Title</b></p>
<p>1</p>	<p>Local Lettings Policy</p>

<p><b>Background Papers</b></p>
<p><i>(These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Executive you must provide copies of the background papers).</i></p>
<p>None</p>



# **Local Lettings Policy**

**New Build Properties  
December 2022**

DRAFT



**We speak your language**

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**Polish**

**Mówimy Twoim językiem**

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**Slovak**

**Rozprávame Vaším jazykom**

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**Chinese**

**我们会说你的语言**

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**CONTROL SHEET FOR [policy title here]**

<b>Policy Details</b>	<b>Comments / Confirmation (To be updated as the document progresses)</b>
Policy title	Local Lettings Policy – New Build Properties
Current status – i.e. first draft, version 2 or final version	First Draft
Policy author (post title only)	Assistant Director Housing Management
Location of policy (whilst in development) – i.e. L-drive, shared drive	S drive
Relevant Cabinet Member (if applicable)	Portfolio Member for Housing Councillor Sandra Peake
Equality Impact Assessment approval date	
Partnership involvement (if applicable)	
Final policy approval route i.e. Executive/ Council	Executive
Date policy approved	
Date policy due for review (maximum three years)	2025
Date policy forwarded to Improvement (to include on Intranet and Internet if applicable to the public)	

## 1. Introduction

The Bolsover Homes Programme seeks to provide more than 150 homes in the District by March 2024. Sites have been developed in key locations, with a mixture of property type to reflect the housing need in that specific location. Allocations to new developments require a mix of tenants to create sustainable communities and to give priority to local people.

Section 166A(6)(b) of the Housing Act 1996 enables housing authorities to allocate particular accommodation to people of a particular description outside the Council's standard allocations procedure, provided that overall the authority is able to demonstrate compliance with the requirements of S.166A(3) '*to give overall priority for an allocation to people in the reasonable preference categories*'. This includes those who are homeless, in overcrowded conditions, have urgent medical needs or who need to move to avoid hardship.

This is the statutory basis for 'local lettings policies', which may be used to achieve a wide variety of housing management and policy objectives. For example when considering an applicant the demographics of the area may be taken into consideration to create a more balanced community.

The Council's Allocations Policy ensures that people in most need are placed in the reasonable preference categories and are able to access council accommodation, therefore this policy will be used in conjunction with the Council's Allocations Policy.

This Local Lettings Policy details the method of allocating the properties for rent to applicants initially through the Allocations Policy and then by direct match.

## 2. Scope

As far as possible, this policy is designed to:

- Meet housing need within the District by making best use of properties in order to create balanced, sustainable communities
- Ensure that homes are allocated in a clear, fair and transparent manner
- Make sure the Council is complying with housing and related legislation

This policy will be taken into account alongside the Council's Allocations policy, and amongst other legislation, have due regard in particular to the;

- Housing Act 1985
- Housing Act 1996
- Localism Act 2011
- Homeless Reduction Act 2017
- Homelessness (Suitability of Accommodation) (England) Order 2012
- Welfare Reforms
- Equalities Act
- Human Rights Act

### **3. Principles**

The policy will link to the Council's Ambitions and priorities by;

- Increasing customer satisfaction with our services
- Providing good quality council housing where people choose to live
- Enabling Housing Growth: increasing the supply, quality and range of housing to meet the needs of the growing population and support economic growth
- Making the best use of our assets

### **4. Statement**

#### **4.1 Schemes Covered by the Local Lettings Policy**

The Local Lettings Policy will apply to the Bolsover Homes new build properties and any other new build schemes in the District owned/managed by the Council.

Any property with adaptations will be excluded from this policy as these are allocated through the Housing Allocation and Review Panel (HARP).

#### **4.2. Objectives**

The objective is to give local people a higher priority and create sustainable communities.

In addition to the normal allocations procedure, an interview with a member of the housing team prior to any offer of accommodation being made will be introduced for all shortlisted applicants. The rationale is to prevent anti-social behaviour and unsuccessful tenancies, but it will also ensure that the properties will be allocated to people with a strong local connection to the ward.

#### **4.3 Advertising the Vacant Properties**

The properties will be advertised through the Council's Choice Based Letting system in accordance with the usual Allocations Policy, and placed into bands A, B or C. This will ensure that preference will be given to applicants with a strong local connection. The advert will make it clear the Local Lettings Policy is being applied.

Applicants will bid on the advertised properties to express an interest in accordance with the Council's procedure.

#### **4.4 Allocating a Property**

In the first instance priority will be given to applicants who;

Live in or have a strong connection to the ward where the new properties are located (assessment will be via interview using the district definition). A strong local connection criteria will include;

- Living within the ward where the new build homes are located (for the past 3 years)
- In paid work in the ward – (for the past 3 years)

- Has a close family member (parents, grandparents or children) living in the ward – (for the past 3 years)
- Can demonstrate a strong local connection having lived in the area for five years e.g. lived in the area as a child and then moved away

If there are no applicants in the categories above, the properties will be allocated in accordance with the Council Allocations Policy, in order of priority banding and waiting time.

Applicants, via the Choice Based Lettings system, will undergo a first stage assessment based on the Council's Allocations Policy. Successful shortlisted applicants will then be required to undergo a second stage selection process based on the criteria set out in this Local Lettings Policy before any offer of accommodation is made.

The second stage selection process will require the applicant to attend an interview with the Housing Needs Assistants and Housing Tenancy Assistant for the area. If the applicant refuses the interview they will not be considered for the property.

The interview is to conduct various assessments such as, but is not inclusive;

- Local connection assessment
- Priority needs assessment
- Affordability assessment
- Tenancy Risk assessment
- Health and Disability assessment
- Tenancy support needs

Some applicants may need help to sustain a tenancy for example, those with complex needs, including applicants who;

- have a drug, alcohol or other addiction including those in rehabilitation,
- have extensive support needs.

The local housing team will make a decision to make an offer of accommodation based on the information provided from the applicant's housing application and second stage assessments.

Properties may be refused to households that do not agree to an appropriate support plan or where a support plan is not feasible.

Properties allocated will meet the eligibility criteria for the size of the property to discourage under-occupation and overcrowding and to make best use of housing stock. To minimise voids exceptions may apply. However if it is deemed that an applicant will be under-occupying they will be subject to an affordability test before any offer of accommodation is made. Such cases will be considered by the HARP prior to an offer being made.

Properties may be refused to households with a history of anti-social behaviour or poor conduct of a previous tenancy. Where the applicant meets one of the following criteria they may not be offered a tenancy in the scheme for a at least a period of two years, if the applicant;

- is known to have been involved in anti-social behaviour within the last 2 years,

- is unable to demonstrate an ability to sustain a tenancy for a minimum period of the last 12 months,
- has an unspent criminal conviction,
- has been convicted of, or has been held responsible for, criminal damage or arson within the last 12 months.

Such cases will be considered by the HARP prior to an offer being made.

#### **4.5 Verification**

Verification of circumstances may be required and may include, but is not exhaustive;

- A verification visit to their current accommodation to confirm personal and household circumstances and evaluate ability to act in a 'tenant like manner' in terms of upkeep of property and garden.
- Checks on current and former tenant rent accounts where applicable.
- Checks to confirm previous tenancy good conduct.
- Checks with the Probation Service and/or the Police.
- A risk assessment of vulnerability to evaluate feasibility of support plans to sustain the tenancy.
- Credit checks and affordability evaluation using household income and expenditure.
- Evaluation of risk in relation to uncontrolled debt.
- Medical needs assessment.

Households may be required to agree to participate in progress visits as requested (reasonable notice will be given) with Council Officers to ensure ongoing sustainability of the tenancy who will then be able to provide further support/assistance if required.

#### **4.6 Compliance with the policy**

To limit the detrimental impact of long term vacant properties, in the event that insufficient bids are received from applicants meeting the criteria, the usual Allocations Policy then may be employed to a property that has been unsuccessfully let.

#### **4.7 Duration of the Local Lettings Policy**

This policy will apply to all first lets and any subsequent lets for new build properties, with the exception of subsequent lets for any Independent Living Scheme or Older Persons property.

#### **4.8 Monitoring and Review**

The policy will be monitored on an ongoing basis to ensure that it remains appropriate to the properties and continues to support its objectives. The policy will be reviewed after 3 years or earlier if it is deemed that the policy is no longer required.

#### **4.9 Equal opportunities**

The Local Lettings Policy is required to comply with equality legislation and in particular, to ensure that there is no unlawful discrimination in the allocation of dwellings.

#### **4.10 Refusal and appeal**

The selection framework and checks employed may not be an automatic barrier to access housing, where an applicant has been unsuccessful in securing a property, housing advice in terms of other alternative housing options and support will be given.

Applicants who are refused accommodation through the Local Lettings Policy will be advised of the reason in writing. If an applicant is not satisfied that the Local Lettings Policy has been administered correctly they must set out the reason in writing to request a review of the decision.

Any reviews, complaints or appeals will be handled in accordance with the Councils Allocation Policy and procedure.

#### **4.11 Elected Members' Involvement in Allocation Decisions**

The Allocation of Housing (Procedure) Regulations 1997 (SI 1997/483) prevent an elected Member from being part of a decision-making body at the time an allocation decision is made, when either:

- the accommodation concerned is situated in their division or electoral ward, or
- the person subject to the decision has their sole or main residence in their ward.

The regulations do not prevent an elected Member from representing their constituents in front of the decision making body.

### **5. Responsibility for Implementation**

Bolsover District Council's Housing Department will be responsible for implementing this policy.