

## **Draft local lettings plan for the regeneration of housing estates in the borough**

The council has a published Housing Allocations Scheme, which determines the priorities and defines the procedures to be followed in allocating council accommodation.

It is a key policy objective of the council to regenerate identified housing estates in the borough which will require demolition of whole or part of these estates, and that tenants are rehoused within a set timescale.

To ensure a timely, fair and consistent approach to rehousing affected council tenants and leaseholders, a local lettings plan will be published as a supplementary document to the council's Housing Allocation Scheme and would apply to all tenants who have resided in their property on either of these estates for twelve continuous months before being asked to or requesting to leave their home.

This local lettings plan is for the Winstanley and York Road and Alton regeneration schemes to ensure that there is sufficient flexibility to facilitate the timely decant of residents from their homes as required and effectively ring-fences the newly built homes for the purpose of rehousing those residents in first instance, accounting for identified local need thereafter.

### **The scheme**

In 2013 the council commenced an ambitious master planning exercise to regenerate the Winstanley and York Road and Alton estates. In July 2013, the council published its commitments to the local residents so that they could consider the possible development plans with the knowledge that the scheme was very much for the benefit of the residents of the estates. These commitments outlined a number of key principles for all residents, below are those which were specific to secure council tenants.

- You will be offered an alternative home on a social rent within the new development or in the local area.
- The new home will have no less security of tenure than you have now.
- You will retain your right to buy.
- The size of your new home will be assessed on your Housing need.
- If you are under occupying you will offered an incentive to downsize to a property which meets your assessed need or the choice of a new home one bedroom over your assessed need, (as long as you are not impacted by the spare room subsidy) as identified in the Housing (Re-let property) Section 2 of the Local Government Act 2000.
- The development will be phased to minimise the use of temporary housing, aiming for a one move only into your new home.
- The new properties will meet the current Mayor of London's quality and size standards.
- There will be opportunities for tenants to purchase a new low cost homeownership with in the new development or elsewhere in the borough with help from the council.
- If your tenancy is over one year old you will be entitled to compensation of £5,800 per household and reasonable moving and decorating costs in line with the statutory requirements as identified under sections 29 and 37 of the Land Compensation Act 1973; Planning and Compensation Act 1991, Section 68.

## **Phasing plan and moving out of phase**

### **1. Early moves to existing housing stock in the borough**

During the master planning process, and through consultation with residents, it was noted that a number of residents who would be impacted by demolition plans would be interested in moving out of the regenerated new estate including to different parts of the borough, London and the UK.

The 'early moves' process allows existing secure tenants who wish to move earlier than their identified demolition date, and do not want to be allocated a property in the new scheme to do so.

#### **1.1 Eligibility**

All existing secure tenants who have held their tenancy for 12 months are eligible to apply for an early move; applications are processed and assessed in line with the banding and points scheme, with successful applicants being placed in (the highest) Band A under *Management Transfer and Essential Repair cases accepted on to the Councils Interest Queue*, to explore whether there are options for an early move that they wish to take up.

#### **1.2 Tenants who may not qualify for an early move**

There may be exceptions to those whose applications may not be considered for an early move. The Regeneration Team should have due regard to the Housing Allocation Scheme "Who is not a qualifying person", when making referrals to the Housing Options and Assessment manager, including making contact with the relevant Area Housing Team Manager with regards to any grounds for behaviour which should be considered.

#### **1.3 Area and accommodation choices**

It is noted that it is the council's policy not to offer a choice of housing accommodation, but to allow an expression of preference in relation to the location of accommodation that may be allocated to them (Housing Allocation Scheme), which may identify areas in the borough, type i.e. house. Residents are made aware that the council has limited stock and that expressing restricted preferences they may be limiting the opportunities of an offer of accommodation.

#### **1.4 Offers**

Cases accepted are then made offers of accommodation in line with their assessed medical and accommodation needs, which are assessed in line with the Housing Allocation Scheme, with regard to the resident's preference.

Tenants who have registered for an early move will be made offers of accommodation based on the below criteria.

- Block position in the phasing plan
- Medical or other particular circumstances which cannot be met in their current property
- Time registered on the early moves queue

## **1.5 Refusals**

Section 2.18.0 to 2.18.2 of the Housing Allocation Scheme (as published in October 2015) identifies that applicants will generally receive one offer of accommodation however applicants registered for an early move will be considered under the exception to the one offer policy as identified in this section.

Rejections of an offer of accommodation will not result in penalties, such as the withdrawal of priority however the Regeneration Team will note the offers made to applicants and more than one refusal will require a further early moves interview to be carried out. This is to ensure that the tenant understands the implication of not accepting a property for an early move out of the scheme.

Failure to identify a suitable property as part of the early moves process will result in residents being allocated accommodation in the new build scheme at the time their property is required for demolition. This offer will meet their assessed needs and will be considered a suitable offer of accommodation.

## **2. First phase moves to off site and right to return notice**

During the master planning consultation, the council identified that in order to ensure the flexibility of both the decanting of buildings and the build programme that the residents in the first block earmarked for demolition would have to move off site. Committee paper 15-200 identified the “off sites” which would be ring fenced entirely for residents from the Winstanley and York Road estates, and specifically for the block which requires demolition first.

### **2.1 Right to return**

Residents in the identified block will be required to move to a new build property on the one of the five off sites. This property would meet their assessed need; including any adaptations which are assessed as being required. At the time of making the move the residents would be asked to identify whether it was likely that they would want to return to the main Winstanley and York Road regeneration scheme. It has been committed that all residents who move in the first phase may, if they choose return to the main site, within the caveats below:

- when sufficient properties have been built to create enough movement to allow future phases to decant on the main site;
- the tenant has been residing in the property as their only and principle home at the time of the move to the off site property and at the time of returning to the main site;
- the property has not been extensively adapted to meet specific needs of the tenant, outside of lifetime home standards; and
- the tenant either has no rent arrears at the time they are due to return, or has made satisfactory arrangements to pay off the arrears and has been adhering to the arrangement for the six months prior to the return move.

## **2.2 Right to return notice**

At the time of their move from the main regeneration site to their new home, all residents who indicate that they would potentially wish to return to the main site would be able to be given a right to return notice and an indicative year that the property on site would reasonably be expected to be available.

In this circumstance, reasonable removal costs will be met twice; however, home loss compensation will be paid once only. Consideration will be given to reinstatement costs; however, due to both properties being new build these may be limited to relocation of services such as gas, internet, redirection of post, and will be considered on a case-by-case basis only.

### **3. Meeting assessed need in new build properties – on and off the main regeneration area**

All homes new homes built as part of the regeneration scheme will be built to meet the Mayor's room standard. Homes will be built to meet the housing needs for a mixture of family sizes, including innovative solutions to larger family accommodation of four bedrooms or more.

The commitment to all secure tenants in the scheme was that they would be offered a home which meets their assessed need based on all household members who can reasonably be expected to be considered part of the application. The Housing Allocation Scheme, part two, sections 2.9.0 and 2.9.1, notes people who can be considered on an application. Exceptions to this policy will be considered at 3.5 below under composite families.

#### **3.1 Size of accommodation and bed rooms required**

A full housing needs assessment will be carried out prior to a detailed planning application for the phase in which the new property is to be built, and a further assessment close to the time of the move. The number of bedrooms in your new property will be determined by the size and composition of your household, as detailed in the Housing Allocation Scheme.

Single person households, lone pregnant women and couples will be allocated a self contained one-bedroom property. There will be no studio accommodation built in the new scheme.

Thereafter one room is required for:

- a couple;
- each un-partnered adult aged 21 years or older;
- each pair of adolescents aged 10-20 of the same sex; and
- each pair of children under the age of 10 regardless of sex.
- Where none of the above applies a person ages 10-20 years will be paired with a child under the age of 10 years of the same sex.
- Any remaining unpaired person will be allocated a separate bedroom.

### **3.2 Medical circumstances**

Due regard to medical requirements will be given in the allocation of properties, such as a need for ground or lower level floors in a building, or additional bedrooms/storage space to meet a medical need. Advice on the implications of a medical condition on an applicant or family members need will be sought from the applicant/household members' doctor/specialist and considered by the council's medical advisor.

### **3.3 Under occupation**

Where a tenant is under occupying their home by more than one bedroom, they will be permitted to keep one bedroom over their assessed need when made an offer of accommodation in the new build property, if they do not have rent arrears at the time of the move which could be cleared by their home loss compensation payment.

When an additional room, over the assessed need, is retained by a tenant, where the spare room subsidy would apply, the tenant remains responsible for meeting this cost.

All tenants will be offered incentives, in line with the Housing Allocations policy, for each bedroom given up, in line with the "Room to move scheme", as detailed in the Housing Allocation Scheme.

### **3.4 Large/multigenerational families and adult children**

The council has committed to re-housing families to meet their assessed housing need and the scheme will take into consideration large families and will seek to build oversize units where necessary. An oversize unit is considered to have more than four bedrooms.

In order to ensure that there is best long term use of council properties, where there are older generations - such as grandparents in a family home - which creates a need for a larger property, it will be considered first whether it was reasonable for the family to live together, i.e. when did the occupants move in; and it may then be considered on a case-by-case basis that more than one unit of accommodation can be offered. This would take into account caring responsibilities.

Where large family homes (4 bedrooms and larger) are created by adult children (over 21 years of age) living in the home, for whom the bedroom size criteria permits an additional bedroom, consideration will be given to offering a separate tenancy for these adult children. This is subject to stock availability and would be one offer of accommodation only, anywhere in the borough. An assessment would be undertaken to determine if the adult child is a qualifying person and can manage a tenancy. Such additional tenancies, created above the replacement secure tenancy, will be issued on an introductory fixed term basis, and would not attract a home loss payment or reinstatement costs, although removal costs would be met.

The Housing Allocation Scheme permits that tenants are able to request one or two bedrooms below their assessed need, except where statutory overcrowding is likely to be caused.

### **3.5 Composite households**

Where it has been found through the council's housing needs assessments that there is more than one family (a family unit being parents and children) in a property, the council will rehouse the tenant and their immediate family in the scheme in a property to meet their needs.

If there are additional family members in the property who can be reasonably considered to be a separate household they will be required to make a separate application for housing. This will be assisted by the Regeneration Team, and if they are eligible for housing, all endeavours will be made to minimise the need for temporary housing by placing the family in Band A of the Homeless Queue. Any offer of accommodation will not be into new build units in the scheme but in line with the allocations policy for homeless households.

The Housing Allocation Scheme permits that tenants are able to request one or two bedrooms less than their assessed need, except where statutory overcrowding is likely to be caused.

### **3.6 Meeting preferences**

It is the council's policy not to offer a choice in terms of location and type of housing accommodation, but to allow an expression of preference (Housing Allocation Scheme). Tenants are able to express a preference as to whether they remain in the new build scheme or move into existing council accommodation prior to the demolition of their property.

If a tenant is to be offered a home in the new build properties as part of the scheme, they will be required to move in line with the phasing plan. A suitable new property will be built in advance of their property being demolished with sufficient information on block and property positioning made available to tenants at least six months before they will be required to move.

Allocation of properties within a block will have regard to medical need in the first instance, and current property thereafter; for example ground floor properties will be allocated as below:

- to tenants in phase who require the property to meet their medical need,
- to tenants in subsequent phases or tenants with a right to return who require the property to meet their medical need (applies if there are surplus homes in that phase only),
- to residents whose current home is at ground floor level,
- to residents who are giving up additional bedrooms (downsizers) as part of their required move within the regeneration scheme.

### **3.7 Sheltered housing**

Tenants who wish to move to sheltered accommodation in the borough, whether through an early move or in-phase, will be awarded priority Band A in the Older Persons Housing Queue.

Whilst all eligible applicants will be encouraged to make their application to sheltered accommodation as early as possible, because offers from this queue are dependant on voids becoming available in limited stock, it may be that a tenant needs to be moved into the new build property in the first instance, and then moved again when a sheltered unit becomes available. In this circumstance, reasonable removal and reinstatement costs will be met twice; however, home loss compensation will be paid once only.