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**AMENDMENTS TO THE LOCAL LETTINGS POLICY**

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**Responsible Cabinet Member - Councillor Veronica Copeland,  
Adult Social Care and Housing Portfolio**

**Responsible Director - Paul Wildsmith,  
Director of Neighbourhood Services and Resources**

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**SUMMARY REPORT**

**Purpose of the Report**

1. This report seeks member's approval to the proposed changes to the Council's current allocation's policy to enable more accommodation to be made available to younger people and make best use of our housing stock.

**Summary**

2. Significant changes are taking place in demand for Council Housing. There have been noticeable increases in the number of people under the age of 40 who are applying for housing. The housing options for this age group are currently limited due to age restrictions that are placed on some flats through the Local Lettings Policy.
3. Local Lettings Policies are supplementary to the Common Allocations Policy and only apply to the stock of the provider who introduced the local policy. The Council's current Local Lettings Policy restricts access to some first floor flats to people aged either over 40 or 50 depending on the location while second floor flats are available to anyone aged over 18. Ground floor flats are restricted to people aged over 60 or people with a disability.
4. The proposed change simplifies the Local Lettings Policy to allow applicants over the age of 18 to apply for flats above ground floor and a reduction in the age for Ground Floor flats to 55. This change will not apply to the Council's seven fully comprehensive sheltered housing schemes and the three Extra Care schemes.
5. Members of Adults and Housing Scrutiny Committee considered this report on 26 August 2014 and agreed that Cabinet be advised that the Scrutiny Committee supports the proposed changes to the Local Lettings Policy and will undertake a monitoring role once it is implemented.

## Recommendation

6. Members are asked to approve the following changes to the Council's local lettings policy
- (a) That people aged 18 years and over be eligible to apply for flats above ground floor level; and
  - (b) That people aged 55 years and over be eligible to apply for ground floor flats.

## Reason

7. The recommendation is supported as the change increases the flexibility of the stock to meet a range of needs, improving lettings and addressing some of the unmet housing needs of younger people.

**Paul Wildsmith**  
**Director of Neighbourhood Services and Resources**

## Background Paper

Compass Common Allocations Policy

Ken Davies -Extension 2435

S17 Crime and Disorder	Settled accommodation helps to prevent offending or reoffending.
Health and Well Being	Settled and appropriate accommodation plays a key role for applicants health and well being
Carbon Impact	The change does not deal directly with Carbon Impact.
Diversity	Will increase the availability of flats to younger people
Wards Affected	All wards with Council flats
Groups Affected	Will improve access to housing for people over the age of 18
Budget and Policy Framework	The Common Allocations Policy is not one that forms part of the Council's Policy Framework as set out in the Constitution and therefore this report does not represent a change to the framework.
Key Decision	No
Urgent Decision	No
One Darlington: Perfectly Placed	The Common Allocations Policy supports the vision and outcomes of the One Darlington Perfectly Placed by seeking to make sure that those that have a housing need have access to affordable, decent housing that meets their needs and contributes to sustainable communities
Efficiency	Will increase demand for flats and address unmet housing needs

## MAIN REPORT

### Information and Analysis

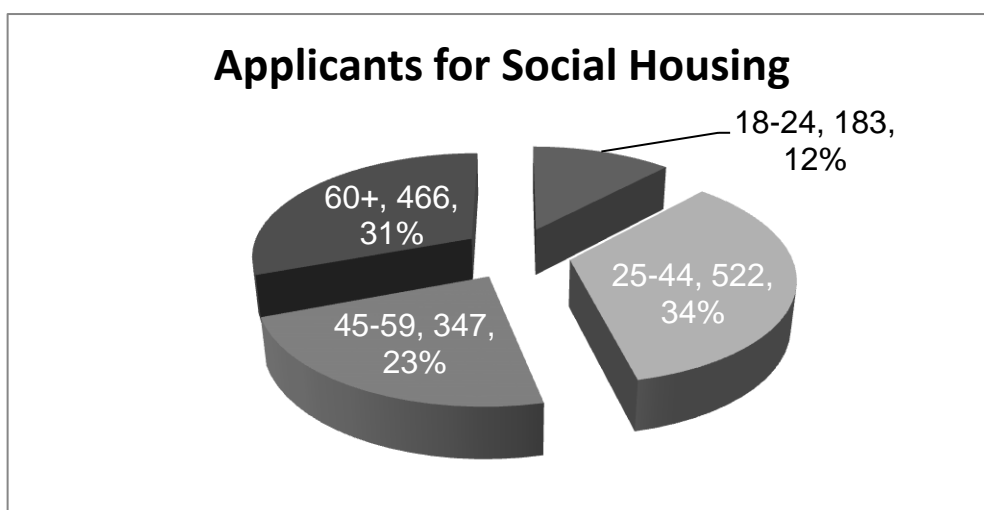
8. Allocations for Council Housing are based on a Sub-Regional Allocations Policy known as Compass which was first established in 2008 by the Tees Valley Choice Based Lettings Partnership. This is made up of the 5 Tees Valley Local Authorities and their partner organisations. As there are different circumstances and needs for the different areas and types of housing across the Tees Valley the Allocations Policy allows partner organisation to develop Local Lettings Policies within the overall Allocations Policy to reflect these local differences.
9. The Council has introduced a number of Local Lettings Policies that are set out in **Appendix 1** to reflect the different circumstances within Darlington. Darlington's Local Lettings Policy restricts the letting of ground floor accommodation to people over 60 or those with a physical disability, first floor flats are restricted to people aged over either 40 or 50 depending on the location of the flats. All second floor flats are available to anyone over the age of 18.
10. As a result of the age restrictions there are now very limited housing options for people under the age of 40 who need one or two bed accommodation. There has been an increase in the number of younger people who are seeking housing while the number of properties available to this group has reduced as a result of successive regeneration programmes. This has also been a period when the Welfare Reforms were introduced and in particular the Bedroom Tax which has increased demand for smaller properties. We have also seen changes to Local Housing Allowances for those aged under 35 making access to the private sector more difficult and this has further reduced housing alternatives for this group. During this time we have seen some decrease in demand for older people's accommodation. It is clear therefore that we would now benefit from having the local age restriction altered.
11. Set out in Table 1 are the proposed changes to the Local Lettings Policy that would help to Improve housing choices for younger people and improve demand for ground floor flats:

**Table 1: Proposed Changes to the Local Lettings Policy**

Property Type	Current Position	Proposed Change
<b>Ground Floor Flats</b>	Allocated to people aged over 60 years	Allocated to people aged over 55 years
<b>First Floor Flat</b>	Allocated to people aged over 40 years or 50 years	Allocated to people aged over 18 years
	Families with children of any age	No change
<b>Second Floor Flats</b>	Allocated to people aged over 18 years	No change

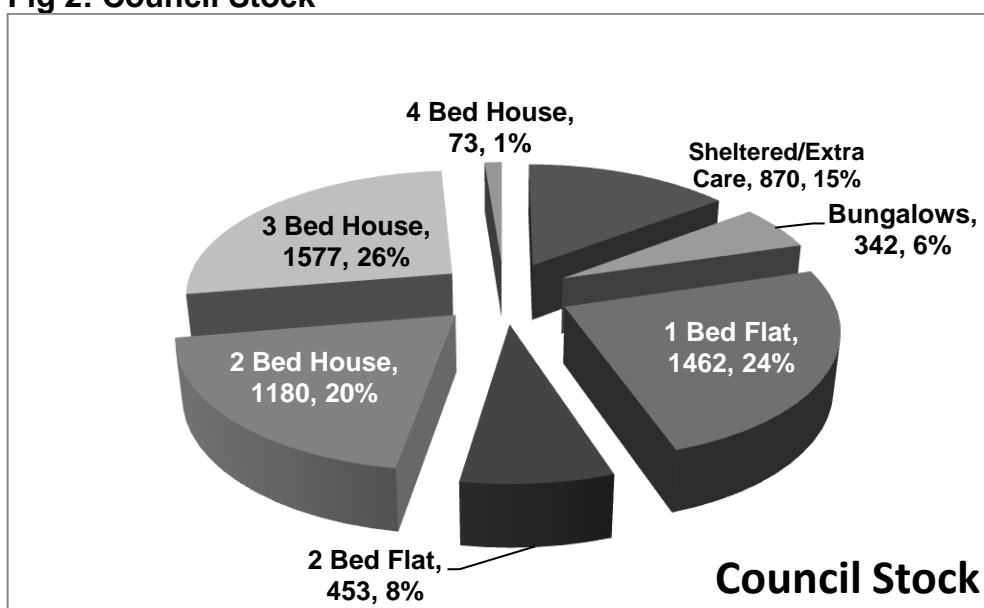
## Demand for flats

12. One of consequences of the changes in demand is that some first floor properties are taking longer to let. Set out in Figure 1 are the numbers of applicants for accommodation by age. About 46% of the applicants are aged 44<sup>1</sup> or under and are currently excluded from first floor flats, while many people who are over 60 (31% of applicants) are reluctant to consider properties above ground floor that are without a lift. This restricts the market for first floor flats to slightly more than the 23% of applicants who are between 45 and 59: Fig. 1: Applicants registered on Compass by age band



13. To fully understand the current situation an analysis was carried out of the type of properties that are becoming available to let. The Council stock currently consists of 5437 properties. 15% of the stock consists of specialist housing and 32% of the stock is made up of flats: Figure 2 below shows the full breakdown.

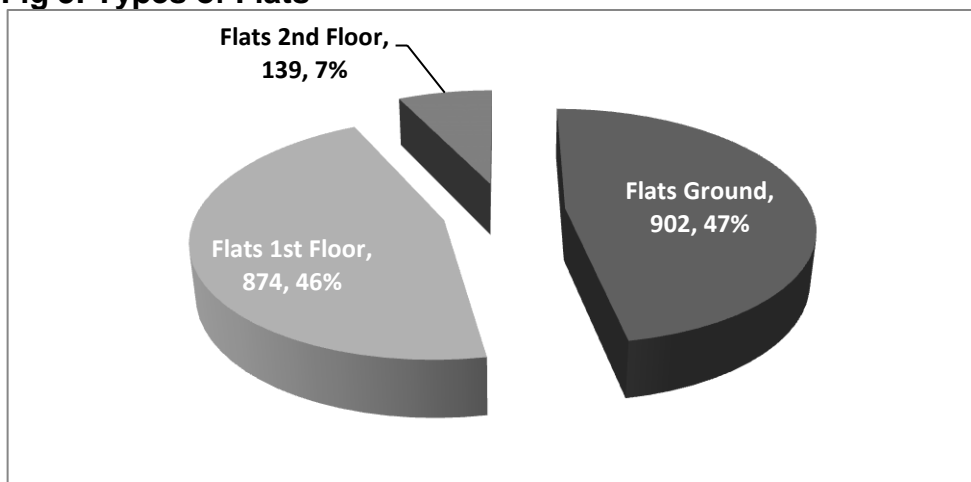
**Fig 2: Council Stock**



<sup>1</sup> Compass gather age information in the following groups: 18-24,25- 44, 45-59 and 60+

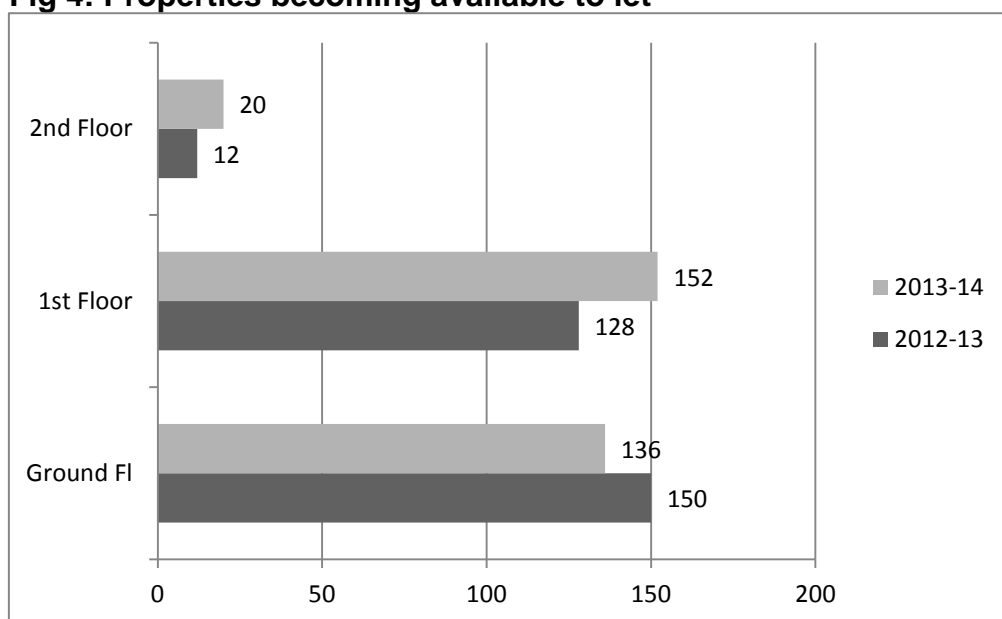
14. It can be seen at Figure 3 below that 47% of flats are ground floor flats and these are mainly only available to people aged over 60 or those with a physical disability:

**Fig 3: Types of Flats**



15. When ground floor flats are added together with the specialist stock and bungalows 39% of the Council stock is aimed at older people or those with a disability. The flats above ground floor make up 19% of the total stock and only 7% of these are second floor flats. In general therefore those registered on Compass in the 18-44 groups (46% of applicants) are limited to bidding for a small proportion of the remaining flats due to the age restrictions on first floor flats.
16. The difficulties in accessing Council Housing for younger people are further illustrated when considering stock turn over as shown at Figure 4. Information was gathered on the last two full years of properties becoming available to let. In 2012-13 twelve second floor properties became available while in 2013-14 this increased to 20 properties.

**Fig 4: Properties becoming available to let**



17. The very limited availability of suitable properties suggests that many of the 700+ applicants age under 40 registered on Compass will have little opportunity for rehousing. A change in the Local Lettings Policy to allow people over 18 to apply for flats above ground floor would address this mismatch between demand and supply.

## Consultation

18. An extensive consultation has taken place with tenants and applicants for housing that included a survey delivered to all tenants and a survey sent to all applicants registered on Compass for one and two bed properties. The survey was also placed on the Council's Website. There were two public meetings and a range of stakeholders were also contacted. A full Equality Impact Assessment is included at **Appendix 2**. The following is a summary of the results:

- (a) A total of 116 surveys were returned, 58% were against the change for first floor flats while 40% were in favour.
- (b) A local survey was carried out by Councillors of the North Road Ward and sent to all the Council flats. This ran concurrently with the Council survey. This produced a 90% "no" response. A number of those included in this survey also submitted returns to the Council survey. 22% of those who voted "no" in the Council survey were from North Road Ward.
- (c) A public meeting held by North Riverside Tenants Association at the Havelock Centre was attended by about 50 people as well as the Councillors for the North Road Ward. Everyone who attended was against the proposals for a change to the age criteria for 1<sup>st</sup> floor flats.
- (d) A public meeting was held at the Dolphin Centre and 15 members of the public attended. All but one of those attending was opposed to the change to the age criteria for 1st floor flats. Over half of those attending this meeting (8) were from North Road Ward.
- (e) Stakeholders were supportive of the changes including Children's Services, FirstStop, the 700 Club, Probation, DAAT and Community.
- (f) Consultation has also taken place with the Tenant's Board who are supportive of the proposals.

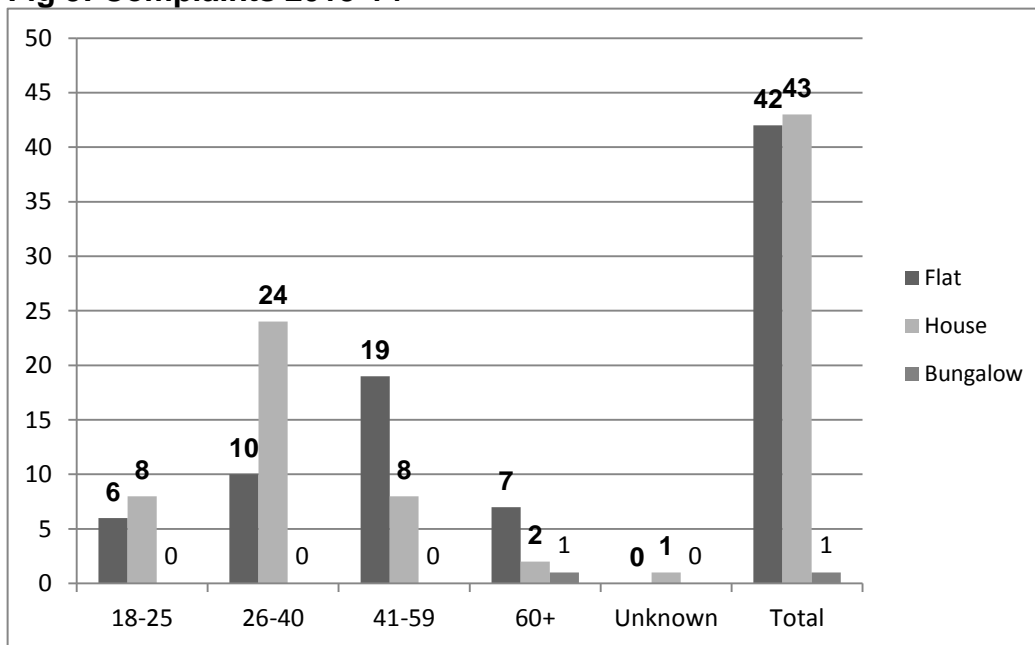
19. The key issues that emerged from the consultation were

- (a) Concerns about the behaviour of younger people particularly focused on 18 year olds.
- (b) Concerns of noise and life style clashes between older and younger tenants.
- (c) The time it takes to deal with tenants who cause persistent problems.
- (d) Previous experience of neighbour problems.

(e) Of those who supported the change the main concern was that effective management was in place to avoid problems.

20. The Council keeps records of complaints of noise and nuisance. Analysis of this information for 2013-14 found that there were 86 complaints and figure 5 shows the age profile and property type.

**Fig 5: Complaints 2013-14**



21. There were 42 complaints concerning tenants living in flats:

- (a) 14% were about people age 18-25
- (b) 24% were about people aged 24-40
- (c) 45% were about people aged 40 to 59
- (d) **17% were about people aged 60+**

22. The number of complaints is comparatively small affecting about 2% of the stock of flats and most of these are resolved quickly after one visit from a Tenant Enforcement Officer or a Housing officer. On rare occasions the problem has led to eviction action and the length of time involved depends on decisions by the Courts.

23. Members of Adults and Housing Scrutiny Committee considered this report on 26 August 2014 and agreed that Cabinet be advised that the Scrutiny Committee supports the proposed changes to the Local Lettings Policy and will undertake a monitoring role once it is implemented.

## **Mitigation**

24. Many tenants who were involved in the consultation had been tenants for some time and therefore had not experienced the increased level of vetting that now takes place when an application for housing is made.
25. The Council now uses a number of techniques to deal with issues between tenants including arbitration and “talk down” that are designed to resolve problems between tenants without the need for enforcement action. Both of these have proved to be successful.
26. The Housing Service has a dedicated Tenancy Enforcement Team who deals with a range of potential breaches of tenancy.
27. The Council has also recently agreed to introduce a new service, Housing Plus which introduces a new level of vetting to identify new tenants who are at a higher risk of breaching their tenancy agreement. This is an intensive housing management service and is designed to prevent problems by proactive work with new tenants to help them understand the requirements Tenancy Agreement and the need to be a good neighbour. Tenants who receive this service will have a dedicated Management Plus officer who will have regular contact with frequent visits during the early stages of the tenancy.