

PERTH AND KINROSS COUNCIL

Housing and Health Committee

14 August 2013

Local Lettings Plan (LLP): Old Mill Road, Rattray

Report by Executive Director (Housing and Community Care)

PURPOSE OF REPORT

To seek committee approval of the proposed Local Lettings Plan (LLP) for Old Mill Road, Rattray. The proposals describe the arrangements for the allocation of all future vacancies within the areas in order to help to build and maintain a sustainable community.

1.0 BACKGROUND / MAIN ISSUES

- 1.1 The Housing (Scotland) Act 2001 states that all social landlords must let houses in such a way that gives reasonable preference to those in housing need, makes best use of available stock, maximises choice and helps to sustain communities.
- 1.2 However, in certain circumstances legislation does allow social landlords to use Local Lettings Plans (LLPs) in defined areas to meet specific aims where issues have occurred and action is required to assist that community to become sustainable. Issues must be supported by strong evidence and normally include:
 - high stock turnover and low demand
 - high demand for transfers
 - high refusal rates
 - high incidence of anti social behaviour and vandalism
- 1.3 LLPs are widely used by social housing providers as a means of addressing these issues to promote and ensure balanced and sustained communities where there is a demonstrable need but, in doing so they must not lead to vulnerable households being disadvantaged. They have to be developed and must operate within the context of a social landlord's mainstream allocation policy. This means that no account can be taken of an applicant's age, unless allocating designated older person's housing, or length of residence within the area or income.
- 1.4 That said, a LLP allows for the allocation of vacancies in area according to the particular circumstances of a street or small scheme by letting to a household that will contribute to the sustainability of that community.

1.5 Although each LLP is unique, there are some key common components:

- the need for the LLP is clear and demonstrable
- the plan has clear aims
- tenants and residents have been consulted and the majority have agreed to the plan
- strategic partners have been consulted and understand the plan
- an effective monitoring framework will be put in place
- the plan will be subject to regular review

1.6 The LLP proposed in this report are proactive measures to protect and sustain the proposed new community at Old Mill Road, Rattray. This is a small area with very specific issues and concerns for which adjustments to the mainstream allocations and lettings policy are required.

2.0 PROPOSALS

2.1 The proposal attached as an Appendix to the report aims to promote greater sustainability for the new community at Old Mill Road. Therefore it is proposed that allocations should be made to those who are able to assist this aim and with fewer allocations made to vulnerable households, but not to their ultimate exclusion. However, it is proposed to exclude those with a current history or recent history of anti social behaviour, criminality or breaches of tenancy.

2.2 Applicants and members of the household must therefore not be perpetrators of serious and/or ongoing anti social behaviour at their current or previous home or had any legal action threatened or taken against them as a result.

2.3 Permission to introduce a LLP for Old Mill Road was granted at a meeting of the Housing and Health Committee on Wednesday, 6 February 2013 (report 13/62) when members approved proposals for the future renovation of 15 vacant council properties on the site.

2.4 In order to address the negative factors that previously pervaded the scheme, the LLP for Old Mill Road has been developed to meet the following objectives:

- create a sustainable community
- minimise the stigmatisation of tenants and residents
- protects tenants and residents from any nuisance/anti social behaviour coming into the area
- create a sense of community and pride in the area

2.5 Applicants seeking to be housed will be initially assessed against a set of criteria which requires that they, or a permanent member of their household, needs to remain or move into the area:

- to access or maintain either mainstream or specialist education and/or
- to access or maintain employment, and/or
- to receive support or care.

2.6 Applicants meeting one or more of the criteria will then have to agree to voluntarily enter into a Neighbourhood Agreement. A Neighbourhood Agreement demonstrates the commitment of agencies to work together to ensure an area is effectively managed and maintained. Importantly it also highlights the contribution that those living in the area, through working with these agencies, can make to tackling and resolving any local issues that arise.

2.7 To ensure that the Agreement reflects the wishes of the local community it will be developed as part of a consultation process with local residents and the future tenants of Old Mill Road.

2.8 The proposed LLP, if approved, will take immediate effect.

3.0 CONCLUSION AND RECOMMENDATIONS

3.1 Housing and Health Committee are requested to approve the Local Lettings Plan proposed within this report which will aim to ensure the future sustainability of Old Mill Road and the local community.

Author(s)

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Approved

Name	Designation	Date
David Burke	Executive Director, Housing and Community Care	14 August 2013

If you or someone you know would like a copy of this document in another language or format, (on occasion only, a summary of the document will be provided in translation), this can be arranged by contacting (Lorraine Ross)



Council Text Phone Number 01738 442573

ANNEX

1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

The undernoted table should be completed for all reports. Where the answer is 'yes', the relevant section(s) should also be completed

Strategic Implications	Yes / None
Community Plan / Single Outcome Agreement	Yes
Corporate Plan	Yes
Resource Implications	
Financial	Yes
Workforce	None
Asset Management (land, property, IST)	None
Assessments	
Equality Impact Assessment	Yes
Strategic Environmental Assessment	None
Sustainability (community, economic, environmental)	None
Legal and Governance	Yes
Risk	Yes
Consultation	
Internal	Yes
External	Yes
Communication	
Communications Plan	Yes

1. Strategic Implications

1.1 Community Plan (copy attached as per Corporate Plan)

Corporate Plan

1.2 The Council's Corporate Plan 2013 -2018 lays out five outcome focussed strategic objectives which provide clear strategic direction, inform decisions at both a corporate and service level and shape resource allocation. They are as follows:

- Giving every child the best start in life
- Developing educated, responsible and informed citizens
- Promoting a prosperous, inclusive and sustainable economy
- Supporting people to lead independent, healthy and active lives
- Creating a safe and sustainable place for future generations

1.3 This report relates to all of these objectives.

2. Resource Implications

Financial

- 2.1 The letting of 15 properties at Old Mill Road will generate an annual income of £45,300 based on the rent charge for 2013/14.

3. Assessments

Equality Impact Assessment

- 3.1 Under the Equality Act 2010, the Council is required to eliminate discrimination, advance equality of opportunity, and foster good relations between equality groups. Carrying out Equality Impact Assessments for plans and policies allow the Council to demonstrate that it is meeting these duties.
- 3.2 The information contained within this report has been considered under the Corporate Equalities Impact Assessment process (EqIA) and has been assessed as relevant and the following positive outcomes expected following implementation:
- Increased housing in an area with increased demand.

Legal and Governance

- 3.4 The Council has developed the LLP in accordance with current Scottish housing legislation, regulation and best practice.
- 3.5 The Head of Legal Services has been consulted on the proposals contained in this report and agrees with the content of the report and the proposals to implement an LLP at Old Mill Road.

Risk

- 3.6 A project risk profile was developed at the outset of the project; the majority of the risks have already been addressed. These are monitored on an ongoing basis by the project team. One of the remaining risks is failure to obtain committee approval to implement the LLP.

4. Consultation

Internal

- 4.1 Internal consultation has been undertaken with all relevant stakeholders including local Elected Members, area housing staff and Housing and Community Care Senior Management Team. These stakeholders agree with the proposal to implement an LLP at Old Mill Road. The Tenant Committee Report Panel discussed the report at their meeting on Thursday 25TH July and commented as follows:

“The majority of the Tenant Committee Report Panel support this paper and welcome the Councils attempt to bring greater authority into the management of neighbourhoods. They are looking forward to finding out if it makes a difference and if it does, if it could be rolled out to other areas in Perth and Kinross.

External

- 4.2 Members of the Blairgowrie and Rattray Tenants and Residents Association (BRTRA) have been actively involved in developing the LLP from a very early stage and are fully supportive of the proposals. The report was also presented to the BRTRA Annual General Meeting on Wednesday, 26 June 2013, where it received their support.

5. Communication

- 5.1 Information relating to the LLP will be made available to housing applicants expressing an interest in the Rattray area along with existing tenants and residents. The method of communication will include updates on the web site, leaflets and other literature. Further contact will also be made with tenants and residents directly affected by the proposals.

2. BACKGROUND PAPERS

Housing and Health Committee Report 13/62 Old Mill Road Rattray, 6 February 2013.

Perth and Kinross Common Allocations Policy:
www.pkc.gov.uk/article/2721/Common-Allocations-Polic

Housing (Scotland) Act 1987
www.legislation.gov.uk/ukpga/1987/26/contents

3. APPENDICES

Appendix 1 – Local Lettings Plan for Old Mill Road, Rattray.

 PERTH & KINROSS COUNCIL Housing & Community Care	Policy: Local Lettings Plan for Old Mill Road, Rattray Author: Service Manager – Housing Access and Partnerships Associated Procedures: Perth and Kinross Allocations Policy Version: 2.0 Date of Review: 3 May 2013
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1.0 Purpose of the Local Lettings Plan

The Local Lettings Plan has been developed to assist in the letting of 15 properties at Old Mill Road, Rattray to provide a stable and sustainable community.

The Plan aims to alter the profile of people in the future who will live in Old Mill Road to promote greater sustainability for the community. Therefore it is proposed that allocations should be made to those who are able to assist with this aim, irrespective of their level of priority on the housing waiting list, with fewer allocations made to more vulnerable households.

2.0 Aims of the Plan

The plan aims to:

- To create a sense of community and promote a sense of pride in the area
- To create a community which is sustainable
- To minimise any possible stigmatisation of tenants/residents
- To protect tenants/residents from any nuisance/anti-social behaviour coming into the area
- To reduce turnover and refusals of accommodation
- To develop a Neighbourhood Agreement in conjunction with tenants and residents that will set out the conditions that are specific to the area and which will contribute to the aims of the Local Lettings Policy

3.0 Who Can Apply?

Applications will be considered from applicants who are aged 16 years or over and initially assessed against the following Local Lettings Plan criteria:

- i) ***The applicant or a member of their permanent household needs to remain or move into the Rattray/Blairgowrie area to access or maintain either mainstream or specialist education, and/or***
- ii) ***The applicant or a member of their permanent household needs to remain or move into the Rattray/Blairgowrie area due to employment, and/or***
- iii) ***The applicant or a member of their household needs to remain or move into the Rattray/Blairgowrie area to receive support or care***

Priority will be awarded to applicants who meet one or more of the conditions outlined above and who also agree to enter into and adhere to a Neighbourhood Agreement. Applications will be assessed against the Council's Allocations Policy and offers of housing will be made to applicants with the highest overall level of priority.

The allocation of any property should not result in the property being under-occupied at the time of let.

4.0 Exclusions

The Local Lettings Plan will exclude applicants who have identified issues which may pose a risk to the future sustainability of Old Mill Road. This will include applicants or members of their permanent household who within the previous 3 years:

- have a recorded history of anti-social behaviour (including harassment and nuisance) in a previous tenancy, and/or
- have previously been evicted for anti-social behaviour or where an Acceptable Behaviour Agreement, interim or full Anti-Social Behaviour Order has been obtained, and/or
- has a history of convictions for criminal behaviour, drug dealing or abuse

Any applicant who has high support needs and who has failed to accept or successfully engage with support, or whose support needs cannot be met by the allocation, will also be excluded.

Where any of the above issues are identified through checks against housing records, local housing team, partner agencies (such as Police, Criminal Justice, Drug and Alcohol Team) the applicant will not be considered for housing at Old Mill Road although they may still be eligible to be included on the waiting list for other vacancies in Perth and Kinross, unless their application is suspended.

Where an application is refused the applicant will be notified of the decision in writing along with their right to appeal.

5.0 Allocations

Applicants meeting the criteria of the Local Lettings Plan will be admitted onto the waiting list by level of priority need in accordance with the Council's Allocations Policy. Allocations will be made to applicants meeting a Local Lettings Plan who have the highest level of assessed need.

Where a property becomes available for allocation and there are no applicants who meet the Local Lettings Plan criteria, applications will be considered from applicants who are not subject to any of the exclusions outlined in Section 4.0 and who are willing to enter into and maintain a Neighbourhood Agreement.

6.0 Monitoring

Each offer and allocation will be monitored and the reason for refusing an application or an offer will be the subject of a clear and transparent record. All offers will be recorded on Northgate for a clear audit trail where the best placed applicant has been bypassed for offer.

7.0 Appeals

Applicants who are dissatisfied with the way in which their application has been processed will have the right to appeal the decision. Applicants should submit any appeal within 28 days of the date of the decision to the Service Manager – Housing Access and Partnerships. The Service Manager's decision is final with no further right of appeal to the Council

8.0 Review

The Local Lettings Plan will be reviewed jointly by the Housing Access Team, Local Housing Team, Blairgowrie Tenants and Residents Association and the tenants/residents of Old Mill Road and any other interested parties after a period of 12 months.

