

<b>SUBJECT:</b>	<b>DE WINT EXTRA CARE SHELTERED HOUSING DELIVERY UPDATE AND PROPOSED LOCAL LETTINGS POLICY</b>
<b>DIRECTORATE:</b>	<b>HOUSING AND INVESTMENT</b>
<b>REPORT AUTHOR:</b>	<b>MELANIE HOLLAND, HOUSING STRATEGY AND INVESTMENT MANAGER</b>

## **1. Purpose of Report**

- 1.1 To provide the Executive with an update on the delivery of the extra care sheltered housing scheme at De Wint Court, including an update on the legal agreements with the County Council, and to seek the Executive's approval of a local lettings policy for the scheme.

## **2. Executive Summary**

- 2.1 Following the assessment of 14 returned selection questionnaires (SQs), five suppliers have been asked to tender for the build of the scheme. Tenders were received on 9 August 2019 and have been evaluated and moderated in line with procurement rules. The successful supplier is to be appointed in September 2019.
- 2.2 Legal agreements between Lincolnshire County Council and Lincoln City Council relating to the County Council's capital funding contribution and nomination rights to lettings to the scheme are being finalised.
- 2.3 The City of Lincoln Council's Allocations Policy, Lincs Homefinder, allows for the operation of local lettings policies. The proposed local lettings policy for De Wint Court requires:
- Qualifying persons to have a local connection, this relates to residency, a close relative, or employment;
  - Qualifying persons to be aged 55 years or over; and
  - Allocations are made to ensure a balanced mix of care and support.

## **3. Background to scheme**

- 3.1 The new-build extra care sheltered housing scheme at De Wint Court is to provide 70 one- and two-bedroom flats to enable older people to live independently in a modern setting with on-site care and support. The scheme is due to start on site in November 2019 and to complete by the end of September 2021. In order to secure nominations to 50% of lettings Lincolnshire County Council is to provide the City of Lincoln Council a capital funding contribution.

#### **4. Scheme delivery update**

- 4.1 De Wint Court has full planning permission and the scheme's build has been procured using a two-stage selection questionnaire (SQ) and invitation to tender (ITT) process. Following the assessment of 14 returned selection questionnaires, five suppliers were invited to tender for the build of the scheme. Tenders were received on 9 August 2019 and have been evaluated and moderated in line with procurement rules. The successful supplier is to be appointed in September 2019.
- 4.2 Legal agreements between Lincolnshire County Council and Lincoln City Council relating to the County Council's capital funding contribution and nomination rights to lettings to the scheme are currently being finalised.

#### **5. Allocations to council housing**

- 5.1 When allocating council housing, English local authorities are required to comply with Part 6 of the Housing Act 1996 (as amended). Authorities must ensure that when allocating their stock they only allocate to "eligible persons" as defined in section 160ZA of the 1996 Act.
- 5.2 Subject to the centrally determined eligibility criteria and any regulations made by the Secretary of State, authorities are free to decide what classes of person are and are not "qualifying persons" for the purposes of their allocation schemes.
- 5.3 Every local authority allocation scheme in England must ensure that "reasonable preference" is given to certain categories of applicant as set out in sub-section 166A(3) of the 1996 Act:
- a) people who are homeless (within the meaning of Part 7 of the 1996 Act);
  - b) people who are owed a duty by any local housing authority under section 190(2), 193(2) or 195(2) (or under section 65(2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any such authority under section 192(3);
  - c) people occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions;
  - d) people who need to move on medical or welfare grounds (including any grounds relating to a disability); and
  - e) people who need to move to a particular locality in the district of the authority, where failure to meet that need would cause hardship (to themselves or to others).
- 5.4 Government policy is, that in deciding who qualifies or does not qualify for social housing, local authorities should ensure that they prioritise applicants who can demonstrate a close association with their local area. Local authorities can, therefore, choose to include a residency requirement as part of their qualification criteria; requiring the applicant (or member of the applicant's household) to have lived within the authority's district for a specified period of time in order to qualify for an allocation of social housing.

- 5.5 Local authorities can also adopt other qualification criteria alongside a residency requirement to allow applicants to qualify who are not currently resident in the district who can still demonstrate a strong association to the local area. Examples of such criteria might include:
- family association – for example, where the applicant has close family who live in the district and who have done so for a minimum period of time; and
  - employment in the district – for example, where the applicant or member of their household is currently employed in the district and has worked there for a certain number of years.
- 5.6 Local authorities are required to consider the need to provide for exceptions from their residency requirement; and must make an exception for certain members of the regular and reserve Armed Forces.
- 5.7 Local lettings policies are an important tool that can be used to respond to specific local circumstances and are one of the main vehicles for local authorities and housing associations to use flexibilities within their overall allocation scheme for social and affordable rented housing. Local lettings must not dominate the local authority's scheme at the expense of statutory reasonable preference categories and, if used, their nature and scope must be published alongside the allocation scheme, but may be used to achieve a wide variety of housing management and policy objectives.
- 5.8 When creating a local lettings policy consideration must be given to equalities legislation to ensure the policy does not discriminate against particular groups.

## **6. City of Lincoln Council's Allocations Policy**

- 6.1 The Council's allocation policy, which also covers nominations to housing association dwellings, forms part of a common allocation policy with North Kesteven District Council. The policy is called "Lincs Homefinder" and was approved by the City of Lincoln Council on 26 March 2018. The policy has been in operation since 3 April 2018.
- 6.2 Although the allocation policy prioritises applicants who can demonstrate a local connection to the relevant partner council, it does not include a residency requirement, or the need for other demonstrable local connection, as part of its qualification criteria.
- 6.3 The allocations policy allows for the operation of local lettings policies and states in paragraph 11.4.2, "To be considered for a property subject to local lettings criteria, applicants would need to meet the usual eligibility criteria AND the additional local lettings criteria, failure to meet both criteria may lead to the bid being bypassed".

## **7. Proposed De Wint Local Lettings Policy**

- 7.1 The proposed local lettings policy requires that applicants will need to be accepted onto the Lincs Homefinder housing register, and adds two further criteria.

- 7.2 The first criteria is the need for qualifying persons to have a local connection - applicants must have:
- been continuously resident in the City of Lincoln for twelve months; or
  - a close relative living in the City of Lincoln who has done so for the last five years or more; or
  - been employed in the City of Lincoln on a permanent or long-term contract (12 months minimum) for 16 hours or more per week.
- 7.3 This local connection qualification may be waived on an exceptional basis.
- 7.4 The second criteria requires applicants to be aged 55 or over (any partner should be aged 50 or over).
- 7.5 The proposed local lettings policy also considers property size eligibility – allowing single persons and couples to be considered for two-bedroom accommodation based on their housing and support needs.
- 7.6 As the scheme at De Wint Court is to be extra care sheltered housing, the proposed local lettings policy sets out how applications will be assessed in term of housing and support needs, with the aim of ensuring that there is a balance of care needs in the scheme.
- 7.7 Finally, the proposed local lettings policy states how Lincolnshire County Council will nominate to 50% of the allocations.

## **8. Strategic Priorities**

### **8.1 Let's drive economic growth**

Requiring qualifying persons to have a local connection has an overarching aim of ensuring that local people are able to reside in a publically subsidised supported housing scheme. Extra care sheltered housing schemes can lead to efficiency savings as care and support is delivered to one location, as opposed to residents living in dispersed locations.

### **8.2 Let's reduce inequality**

Requiring qualifying persons to have a local connection has an overarching aim of ensuring that local people are able to benefit from the below market rents and on-site care and support packages deriving from an affordable supported housing scheme.

### **8.3 Let's deliver quality housing**

The De Wint Court extra care sheltered housing scheme will provide high quality affordable supported housing for rent which meets Homes England's Housing Quality Indicators size standards.

### **8.4 Let's enhance our remarkable place**

The De Wint Court scheme is designed to complement the neighbouring street scene in terms of architecture and materials.

## **9. Organisational Impacts**

### **9.1 Finance**

The De Wint Court development has been financially modelled and is viable, both in terms of capital and revenue funding. The proposed local lettings policy has no direct financial implications to the Council, other than the overarching objective of promoting local affordable homes to local people.

### **9.2 Legal Implications including Procurement Rules**

Both the design and build of the De Wint Court scheme are compliant with procurement rules. The proposed local lettings policy is consistent with the Councils Allocations Policy (Lincs Homefinder) and is in line with housing legislation and Government guidance.

The Council intends to enter into a funding agreement and nomination agreement with the County Council. The latter sets out how the County will nominate to allocations of dwellings within the scheme in accordance with the proposed local lettings policy.

### **9.3 Equality, Diversity and Human Rights**

The Public Sector Equality Duty means that the Council must consider all individuals when carrying out their day-to-day work, in shaping policy, delivering services and in relation to their own employees.

It requires that public bodies have due regard to the need to:

- Eliminate discrimination
- Advance equality of opportunity
- Foster good relations between different people when carrying out their activities

The proposed De Wint local lettings policy restricts allocations of housing to applicants aged 55 and over, this is permitted under housing legislation and the Equalities Act.

### **9.4 Human Resources**

The proposed local lettings policy has no direct human resources implications to the Council, other than the overarching objective of promoting local affordable homes to local people.

### **9.5 Land, Property and Accommodation**

The De Wint Court scheme is being developed on the site of a former sheltered housing scheme held in the Housing Revenue Account (HRA) and the new scheme will continue to be held in the HRA. The proposed local lettings policy has no direct land, property or accommodation implications to the Council, other than the overarching objective of promoting local affordable homes to local people.

### **9.6 Significant Community Impact**

The De Wint scheme replaces an outmoded sheltered housing scheme with a modern extra care sheltered housing scheme which seeks to meet older people's aspirations. The proposed local lettings policy has the overarching objective of promoting local affordable homes to local people, aiming to create a sustainable

balanced community of residents living in a supported housing scheme benefiting from below market rents and on-site care and support packages.

9.7 Corporate Health and Safety implications

The proposed local lettings policy has no direct corporate health and safety implications to the Council, other than the overarching objective of promoting local affordable homes to local people.

**10. Risk Implications**

10.1 (i) Options Explored

Allocations to De Wint Court could be made using the same process of lettings made to sheltered accommodation under the Lincs Homefinder policy. However, this would not ensure that those allocated dwellings within the scheme have a local connection, potentially allowing applicants with no connection to the City of Lincoln to benefit from the scheme's range of facilities. Moreover, it would not ensure that the care and support needs of residents are balanced and could potentially lead to an unsustainable scheme where tenants all have high care needs.

10.2 (ii) Key risks associated with the preferred approach

As with any build there is a risk that it may not start on site on time or be delayed during the build itself, leading to the potential risk of running over the practical completion long-stop date. However, these risks are being minimised through the use of the intense project management of the build programme. There is a potential risk that there will be insufficient applicants for the De Wint Court Scheme, however, this can be mitigated through publicity and open days.

**11. Recommendation**

11.1 That Executive:

Note the update on the delivery of the scheme at De Wint Court.

Approve the local lettings policy for De Wint Court extra care sheltered housing scheme attached at Appendix 1.

Give delegated authority to agree any minor changes to the local lettings policy to the Director of Housing and Investment, in consultation with the Portfolio Holder for Quality Housing.

**Is this a key decision?** No

**Do the exempt information categories apply?** No

**Does Rule 15 of the Scrutiny Procedure Rules (call-in and urgency) apply?** No

**How many appendices does the report contain?**

1

**List of Background Papers:**

None

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