



**Haringey Council**

<b>Report for:</b>	<b>Cabinet Member for Housing and Regeneration</b>	<b>Item Number:</b>	<b>Item for Cabinet Member Signing on 5 February 2015</b>
<b>Title:</b>	<b>Local Lettings Policy in respect of Ambrose Court and Mallory Court, Cannon Road, N17</b>		
<b>Report Authorised by:</b>	<b>Tracie Evans (Chief Operating Officer)</b>		
<b>Lead Officer:</b>	<b>Perry Singh (Project Officer)</b> <a href="mailto:perry.singh@homesforharingey.org">perry.singh@homesforharingey.org</a> 020 489 4890		
<b>Ward(s) affected:</b>	<b>All wards</b>	<b>Report for Key/Non Key Decisions:</b>	<b>Non Key Decision</b>

## **1. DESCRIBE THE ISSUE UNDER CONSIDERATION**

- 1.1 This report describes a Local Lettings Policy being proposed for the Council's allocations to 30 new homes being constructed by Newlon Housing Association at Ambrose Court and Mallory Court, Cannon Road, N17. The proposed Local Lettings Policy gives priority to Love Lane Estate residents whose homes will be demolished following approval of the High Road West Masterplan Framework by the Council's Cabinet in December 2014. The new homes at Ambrose Court and Mallory Court are scheduled for completion at the end of March 2015, when they will be ready for letting.
- 1.2 The report also summarises the results of an extensive consultation exercise on the Local Lettings Policy, conducted with Love Lane Estate residents and all applicants on the Housing Register which closed on 11 January 2015. It also reports on an Equalities Impact Assessment undertaken.
- 1.3 The decision on Local Lettings Policies is delegated to the Cabinet Member for Housing and Regeneration, in consultation with the Chief Operating Officer. This report seeks approval from the Cabinet Member for the Local Lettings Policy in respect of Ambrose and Mallory Courts, taking into account the consultation results and Equalities Impact Assessment.



## **2. CABINET MEMBER INTRODUCTION**

2.1 This item is for decision by the Cabinet Member.

## **3. RECOMMENDATIONS**

3.1 It is RECOMMENDED that the Cabinet Member:

1. Notes and considers the results of the consultation with applicants on the Housing Register and Love Lane Estate residents, as set out in paragraphs 5.10 – 5.22 of the report and Appendices 5,6 and 7
2. Notes and considers the Equalities Impact Assessment, as set out in the report and Appendix 8
3. Approves the Local Lettings Plan for Ambrose Court and Mallory Court, Cannon Road, N17, as set out in Appendix 1, taking account of the consultation results and Equalities Impact Assessment.

## **4. ALTERNATIVE OPTIONS CONSIDERED**

4.1 The alternative option considered was to allocate the 30 new homes at Ambrose and Mallory Courts to households on the Housing Register in the normal way, in accordance with the main provisions of the Council's approved Allocations Policy, adopted by the Cabinet on 14 October 2014. Whilst, clearly, this would meet the housing needs of 30 Housing Register households, it would not allow the local re-housing of up to 30 Love Lane Estate tenants whose homes are due to be demolished and would not help facilitate the High Road West Regeneration Scheme which will bring a wide range of community benefits, including the development of up to 1,200 new homes - a significant proportion of which will become available to households on the Housing Register in the longer term.

## **5. BACKGROUND INFORMATION**

### **Local Lettings Policies**

5.1 The Council normally allocates housing on the basis of giving priority to households in greatest need, as set out in the main provisions of the Council's Allocations Policy. However, the Allocations Policy also includes a section on Local Letting Policies which describes how the Council and its partners may decide, in exceptional circumstances, to allocate properties on a different basis through a Local Lettings Policy, for example, to build sustainable communities or deal with particular local issues.

5.2 The Allocations Policy describes the purpose of Local Lettings Policies as being to ensure a balance between housing priority (in accordance with legal duties and responsibilities) and the longer term sustainability of local communities. It confirms



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that Local Lettings Policies may be used to achieve a wide variety of housing management and other policy objectives, including:

- Reducing the incidence of anti-social behaviour
- Dealing with concentrations of deprivation
- Improving difficult-to-let estates
- Protecting existing stable communities
- Preventing future problems occurring on newly developed estates or in relation to recently modernised properties
- Helping to create balanced communities and achieve wider community objectives, such as a broader social mix and supporting and encouraging people into employment
- Making best use of the Council's housing stock.

5.3 The Allocations Policy also confirms that:

- (a) the decision to apply a Local Lettings Policy will be made jointly by the Council and the landlord of the property.
- (b) Local Lettings Policies should not directly or indirectly discriminate against any particular person.
- (c) Local Lettings Policies should be agreed for a specific period of time.
- (d) a Local Lettings Policy will only be approved if it forms part of a strategy to tackle identified problems or contribute to sustainable communities.
- (e) Local lettings may be dealt with by restrictive labelling of vacancies advertised through the choice based lettings scheme.
- (f) All Local Lettings Policies will be subject to consultation with affected parties and will be supported by an Equalities Impact Assessment.
- (g) The Lead Cabinet Member for Housing has delegated authority to approve Local Lettings Policies.

5.4 The minutes of the Cabinet meeting on 14 October 2014 relating to the approval of the Allocations Policy read as follows:

***“ii. That it be noted that the Leader had agreed that the Cabinet Member for Housing and Regeneration should approve Local Lettings Plans in line with the principles set out in 5.22 to 5.27 of the report.”***

5.5 The most relevant aspects of paragraphs 5.22 to 5.27 of the Cabinet report (referred to in the minute above) read as follows:

***“5.22 Local Lettings Plans can be used to respond to a range of issues relating to a particular area. They could be used to support the physical regeneration of an area, in particular relocating tenants.....”***



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***“5.24 Local Lettings Plans will be used to support the regeneration of estates, by facilitating the decanting and relocation of tenants throughout the regeneration cycle. Schemes will differ in their type and phasing. Where the intention is primarily to manage decanting requirements within an estate new build properties may be designated for tenants that are required to move. On other occasions tenants may be prioritised through the choice based lettings system.”***

***“5.26 The Leader has agreed that decisions on Local Lettings Plans should be taken by the Lead Member for Housing and Regeneration in consultation with the Chief Operating Officer. Each Local Letting Plan will be subject to consultation, an equalities impact assessment and approval individually through the Cabinet Member signing process.”***

### **High Road West Regeneration Scheme**

5.6 At its meeting on 16 December 2014, the Cabinet considered a report on the Council’s vision for regeneration of the High Road West area, following extensive work completed with local residents on compiling plans for this part of Tottenham. The regeneration proposals described in the report include 1,200 new homes, increased green spaces, new public spaces, business space and a stronger town centre area.

5.7 Following its consideration of this report, the Cabinet approved:

- (a) the High Road West Masterplan Framework for regeneration of the area
- (b) the proposed demolition of the Love Lane Estate and gave authority to the Director of Regeneration, Planning and Development to serve the initial demolition notice
- (c) the commencement of the re-housing process for phase 1 of the Love Lane Estate (which requires all secure Council tenants within phase 1 to be put on the housing register and awarded ‘Band A’ priority status for re-housing).

### **The Ambrose Court and Mallory Court Development**

5.8 Newlon Housing Association is currently developing new social rented homes at Ambrose and Mallory Courts, which are located at Cannon Road, North Tottenham, N17, nearby the Love Lane Estate, which is approved for demolition as part of the High Road West Regeneration Scheme (as described in paragraphs 5.6 and 5.7 above).

5.9 As part of the section 106 agreement for this scheme, the Council and Newlon Housing Association reached agreement on the Council’s nomination rights in respect of the 30 social rented homes included in the Local Lettings Policy, as follows:

- 16 x 1 bedroom/2 person units
- 4 x 2 bedroom/3 person units
- 5 x 2 bedroom/4 person units



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4 x 3 bedroom/5 person units

1 x 4 bedroom/6 person units

**Local Lettings Policy Consultation**

- 5.10 The consultation in respect of the Local Lettings Policy for Ambrose and Mallory Courts has been conducted with:
- (a) the Love Lane Estate residents (as part of the section 105 consultation on the High Road West Regeneration proposals) and
  - (b) all households on the Housing Register.
- 5.11 The consultation letter sent to Love Lane Estate residents is attached as Appendix 2 and the consultation letter sent to Housing Register applicants is attached as Appendix 3.
- 5.12 The Ambrose and Mallory Court Local Lettings Plan and feedback card were included within the High Road West consultation pack, which was sent to all 297 properties on the Love Lane Estate. The Local Lettings Plan formed part of the wider consultation on the High Road West Masterplan proposals. This consultation took place between 13<sup>th</sup> September 2014 and 25<sup>th</sup> October 2014. The Housing Register consultation letter was sent to over 9,300 households on the Register, with a closing date of 11 January 2015. All the consultation letters despatched were accompanied by:
- a copy of the proposed Local Lettings Policy for Ambrose and Mallory Courts (Appendix 1)
  - a Feedback Form (Appendix 4)
  - a freepost return envelope and
  - a form in six community languages for households to request translated, audio, disk, Braille or larger type versions of the consultation documents. N.B. The Housing Register consultation deadline was extended until 25 January 2015, for the 20 households who requested and received translated or larger type consultation documents.
- 5.13 A summary of the 12 consultation responses from Love Lane Estate residents is presented in Appendix 5. All these responses were sent by post. The equivalent summary of the 725 responses from Housing Register applicants is presented in Appendix 6. Of these responses, 18 were submitted online and 707 by post.
- 5.14 The 12 Love Lane Estate responses represents a 4% response rate. The 725 Housing Register responses represent a response rate of more than 7%.
- 5.15 The Feedback Form asked both sets of consultees, the same set of 4 questions, with the following summarised results:



Consultation Questions	Love Lane Estate responses	Housing Register responses
1. Is the proposal for letting the social housing units at Ambrose and Mallory Courts clear?	Yes 9 (75%) No 3 (25%)	Yes 650 (91%) No 62 (9%)
2. Do you agree with the proposal to prioritise the tenants of the Love Lane Estate, for the units available at Ambrose and Mallory Courts?	Yes 9 (75%) No 3 (25%)	Yes 594 (84%) No 116 (16%)
3. Do you agree with the method we are proposing to prioritise Love Lane tenants who wish to move to Ambrose and Mallory Courts?	Yes 9 (75%) No 3 (25%)	Yes 591 (83%) No 119 (17%)
4. Units which remain un-let after the tenants of Love Lane have had the option to move will be advertised on Home Connections. Do you agree that this is the correct approach?	Yes 10 (83%) No 2 (17%)	Yes 610 (87%) No 95 (13%)

5.16 The consultation responses summarised above should be treated with some caution in respect of the Love Lane Estate responses, given the low number of responses received. In summary, the responses received indicate that :

- (1) A significant majority (75%) of the Love Lane responses received and a very substantial majority (91%) of Housing Register respondents found the proposal to be clear.
- (2) A significant majority (75%) of the Love Lane responses received and a substantial majority (84%) of Housing Register respondents agreed with the proposal to prioritise Love Lane tenants for the units available.
- (3) A significant majority (75%) of the Love Lane responses received and a substantial majority (83%) of Housing Register respondents agreed with the method being proposed within the Local Lettings Policy to prioritise between the Love Lane tenants wishing to move to Ambrose and Mallory Courts.
- (4) A substantial majority (83%) of the Love Lane responses received and a very substantial majority (87%) of Housing Register respondents agreed that units which remain un-let after the tenants of Love Lane have had the option to move, should be advertised on Home Connections.

5.17 These consultation results demonstrate a high or very high level of support, from both the Love Lane responses and Housing Register applicants, for the proposed Local Lettings Policy for Ambrose and Mallory Courts. However, the low number of Love Lane responses means that this conclusion, in respect of Love Lane residents, should be treated with some caution.

5.18 Support for the proposed Local Lettings Policy from the Love Lane respondents, who are potential beneficiaries of the policy, is perhaps unsurprising. However, Housing Register applicants, who may otherwise have anticipated being able to bid for



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the 30 homes at Ambrose and Mallory Courts, might not have been expected to support the policy.

5.19 An analysis of the additional comments provided in some consultation responses has been conducted. Additional comments were provided on 289 responses from Housing Register applicants (40% of the total). No additional comments were added on the Love Lane responses. The results of this analysis, which summarises the points/themes and the number of times they were raised, is set out below:

	Category	Count	Percentage
A.	People in temporary accommodation should be prioritised for properties	5	1%
B.	People already on the Housing Register should be prioritised for properties	29	7%
C.	People with a disability should be prioritised/I have disability and should be prioritised	24	6%
D.	Agree with the Local Lettings Policy	41	9.5%
E.	Residents unhappy with their current housing situation/conditions	57	13%
F.	Residents who raised an existing health problem they/family member has	38	9%
G.	Disagree with Local Lettings Policy	41	9.5%
H.	Other	60	14%
I.	People who are working should be prioritised for properties	5	1%
J.	Residents want to be considered for a property/want a new home	102	23%
K.	Concern for older or younger people. Need to support prioritise them.	6	1%
L.	Need more affordable homes in the borough	14	3%
M.	Overcrowding is a current issue for residents/people in overcrowded accommodation should be prioritised	11	3%

5.20 Each respondent making additional comments, raised one or more of the points/themes set out in paragraph 5.19 above, but most raised no more than 3 points/themes.

5.21 The additional comments made by respondents, as grouped under the 13 points/themes A-M (set out in paragraph 5.19 above), have been considered and the responses to each point/theme are set out in Appendix 7. These responses consider



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the comments made and confirm how Housing Register applicants are prioritised under the main provisions of the Allocations Policy, how the needs of particular groups are met and how the Local Lettings Policy is being progressed to support regeneration, which will provide more affordable housing.

5.22 One response has been received from the 20 Housing Register applicants who requested and received translated/larger type consultation documents (see paragraph 5.12 above). This respondent answered the four consultation questions and provided additional comments, which are reflected in the tables at paragraphs 5.15 and 5.19 above.

## **6. COMMENTS OF THE ASSISTANT DIRECTOR OF FINANCE AND FINANCIAL IMPLICATIONS**

6.1 The costs of developing this policy including consultation with residents have been contained within existing budgets. The proposal is expected to be broadly cost neutral, as its concerns the allocation of social rented homes and the total number of social rented homes available is not affected by this proposal. The wider Regeneration project is expected to bring financial benefits to the Council in supporting economic growth.

## **7. COMMENTS OF THE ASSISTANT DIRECTOR OF CORPORATE GOVERNANCE AND LEGAL IMPLICATIONS**

7.1 The Assistant Director of Corporate Governance has been consulted in the preparation of this report.

7.2 Section 166A(3) of the Housing Act 1996, requires the Council when allocating housing accommodation to give reasonable preference to a range of specified groups such as the homeless, those with urgent medical need, those living in overcrowded, unsanitary or unsatisfactory housing etc. However, section 166A(6) of the Housing Act 1996 enables the Council to allocate accommodation to people of a particular description, whether or not they fall within these reasonable preference categories, provided that overall the Council is able to demonstrate compliance with s166A(3). This provides the statutory basis for Local Lettings Policies, which are summarised in paragraphs 5.1 – 5.3 above.

7.3 Although there is no statutory duty to do so, it is good practice and accords with the Council's Consultation Charter and Allocations Policy to consult with those affected by Local Lettings Policies.

7.4 In approving this Local Lettings Policy the Council must have due regard to its Public Sector Equality Duty under the Equality Act 2010. This requires the Council in exercising its functions to have regard to the need to eliminate discrimination, harassment, and victimisation; advance equality of opportunity between persons who share a relevant protected characteristic and those who do not and foster good relations between persons who share a relevant protected characteristic and those



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who do not. The protected characteristics include age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex and sexual orientation.

7.5 An Equality Impact Assessment has been undertaken in compliance with the Council's Public Sector Equality Duty and the Lead Member is required to take into account the Equalities Impact Assessment at Appendix 8 and the responses to the consultation exercises summarised at Appendices 5, 6 and 7 in coming to his decision.

## **8. EQUALITIES AND COMMUNITY COHESION COMMENTS**

8.1 An Equality Impact Assessment has been produced in consultation with the policy and strategy team and the Council's legal team, which is attached as Appendix 8 to this report.

8.2 The Equality Impact Assessment considers:

- (a) whether there are any equalities implications in respect of protected groups, arising from the proposed re-housing of Love Lane Estate tenants, rather than Housing Register applicants, at 30 homes at Ambrose and Mallory Courts.

The analysis conducted compares the profiles of Housing Register applicants and High Road West residents, with comparative information available in respect of gender, disability and ethnicity only. This demonstrates that both the Housing Register and High Road West residents include similarly high proportions of disadvantaged groups and that re-housing Love Lane Estate residents under the proposed Local Lettings Policy, rather than Housing Register applicants, will not have a significant impact.

Whilst the impact for most groups is assessed as neutral, a positive impact is identified in respect of people with a disability, as the Local Lettings Policy gives a high priority to critical and serious medical cases, which will include people with disability/health needs. Also, the 30 homes at Ambrose and Mallory Courts are built to 'lifetime homes' standards, which means they can be adapted to meet the needs of people with a disability, and 7 (23%) are wheelchair accessible units.

- (b) Whether the consultation undertaken has been conducted in accordance with equalities guidance and whether the consultation responses raise any equalities concerns in respect of protected groups.

The analysis conducted compares the profile of consultation respondents from Love Lane with the wider High Road West population and, similarly, compares the profile of Housing Register respondents with all households on the Housing Register, where this information is available.



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This has shown that the consultation respondents from both Love Lane and the Housing Register broadly reflect the wider populations from which they are drawn.

The consultation responses are substantially in favour of the proposed Local Lettings Policy (although this conclusion should be treated with some caution in respect of Love Lane tenants, given the low number of responses). Only a small proportion of the additional comments provided relate to equalities issues, in respect of disability/health, older people and younger people, and mostly seek greater re-housing priority for the group the respondent belongs to.

It is recognised that the data available in respect of some groups is insufficient and this will be addressed in future Local Lettings Policy consultations.

## **9. HEAD OF PROCUREMENT COMMENTS**

9.1 The Head of Procurement has confirmed that there are no procurement implications.

## **10. POLICY IMPLICATION**

10.1 The proposed Local Lettings Policy for Ambrose and Mallory Courts has been developed and put forward for approval in accordance with the Allocations Policy requirements – set out in paragraph 5.3 (a) to (g) above – as follows:

- (a) It has been agreed jointly by the Council and Newlon Housing Association, based on nomination rights secured in a section 106 agreement
- (b) It will not discriminate directly or indirectly and implementation of the policy, if approved, will be subject to equalities monitoring.
- (c) The agreement between the Council and Newlon only relates to initial lettings at Ambrose and Mallory Courts and, therefore, is time limited.
- (d) It forms part of a strategy, approved by the Cabinet, to re-house Love Lane Estate residents, as one element of the High Road West Regeneration Scheme
- (e) A method of prioritising Love Lane Estate residents is contained in the Local Lettings Policy, outside the normal Choice Based Lettings criteria. Any homes not let to Love Lane residents will be allocated to Housing Register applicants via Choice Based Lettings.
- (f) It has been subject to consultation with the affected parties and is supported by an Equalities Impact Assessment.
- (g) It is being submitted for approval by the Cabinet Member for Housing and Regeneration, via this report.

## **11. REASONS FOR DECISION**

11.1 The main reasons for the decisions recommended in paragraph 3.1 are:



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- (a) to consider the proposed Local Lettings Policy for Ambrose and Mallory Courts in accordance with the relevant provisions of the Council's approved Allocations Policy
- (b) to progress the re-housing of tenants in phase 1 of the Love Lane Estate regeneration programme
- (c) to help fulfil the Cabinet decisions taken on 16 December 2014, to progress the High Road West Regeneration Scheme and the community benefits it provides.

## **12. USE OF APPENDICES**

- 12.1 Appendix 1 - Proposed Local Lettings Policy for Ambrose Court and Mallory Court
- Appendix 2 - Consultation Letter to Love Lane Estate residents
- Appendix 3 - Consultation Letter to Housing Register applicants
- Appendix 4 - Consultation Feedback Form
- Appendix 5 - Summary of Consultation Responses from Love Lane Estate residents
- Appendix 6 - Summary of Consultation Responses from Housing Register applicants
- Appendix 7 – Summary of Responses to Additional Comments made by Consultation Respondents
- Appendix 8 – Equality Impact Assessment

## **13. LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

### 13.1 Background papers:

- (a) Allocations Policy
- (b) Cabinet report and minute in respect of Allocations Policy – 14 October 2014
- (c) Cabinet report and minute in respect of High Road West Regeneration Scheme – 16 December 2014