

Allerdale Borough Council  
Delegated Decision – February 2017

**Local Lettings Policy update**

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<b>The Reason for the Decision</b>	To ensure the Allerdale Local Lettings Policy (LLP) remains current and reflects changes in local circumstances
<b>Summary of options considered</b>	<ol style="list-style-type: none"><li>1. Do nothing and risk challenges to the LLP.</li><li>2. The Council considers the proposed changes and adopts the changes to the LLP to ensure compliance and to minimise the risk of challenge.</li></ol>
<b>Recommendations</b>	The Head of Housing and Health is asked to approve the adoption of the revised policy as detailed in this report.
<b>Financial / Resource Implications</b>	There are no financial implications associated with the adoption of the revised policy
<b>Legal / Governance Implications</b>	None
<b>Community Safety Implications</b>	None
<b>Health and Safety and Risk Management Implications</b>	None
<b>Equality Duty considered / Impact Assessment completed</b>	N/A
<b>Wards Affected</b>	Cockermouth, Keswick, Borrowdale, Above Derwent, Lorton, Caldbeck, Underskiddaw, Bassenthwaite and St Johns, Castlerigg & Wythburn
<b>The contribution this decision would make to the Council's priorities</b>	There is a focus on supporting the housing needs of local people, access to affordable housing, and creating sustainable communities
<b>Is this a Key Decision</b>	No
<b>Portfolio Holder</b>	Councillor Carni McCarron Holmes

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**Lead Officer**

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**Report Implications** (Please delete where applicable).

Partnerships	Y
Social Inclusion	Y
Equality Duty	Y

Background papers .....

**1.0 Introduction**

The first Local Lettings Policy (LLP) was approved by the councils Executive in October 2011. This restricted the letting of social housing in parishes of high demand and limited supply. Namely; Cockermouth, Keswick, Borrowdale, Above Derwent, Lorton, Caldbeck, Underskiddaw, Bassenthwaite and St Johns, Castlerigg & Wythburn. Households applying for social housing in these parishes must be able to prove a local connection.

The LLP was updated by delegated decision in May 2014. This amended the LLP so that the local connection criteria matched that specified in the section 106 planning obligation for the appropriate planning authority. It was further updated in 2015 to reflect legislation concerning local connection not being required for certain groups.

**2.0 Content (to include alternative options considered)**

Information received from Home Group showed that they had difficulty letting new properties on The Laureates. Out of 50 properties, 20 took more than one advert to find a suitable applicant and of these, 6 took three or more adverts. Of the 93 applicants that were skipped because they did not have a local connection to Cockermouth parish, 64 of these (69%) were currently residents of Allerdale.

It is believed that this was at least partly due to the restrictions of the current LLP, which only permits applicants with a local connection to Cockermouth parish to have a tenancy in the town. This leads to voids, loss of income and an additional financial burden for the provider.

Your D&S provided evidence of properties in Cockermouth taking up to 11 adverts to let, and only receiving a handful of bids. This results in single, working people being allocated family sized properties. Again, the issue seems to be the restrictions in force in the current LLP.

Other sources suggest changes in Cockermouth's social housing market. Choice Based Lettings (CBL) bid information shows that compared to other towns, Cockermouth has received above the average number of bids in 2016 for three key property types – two bed houses, three bed houses and two bed bungalows. At the same time it is clear that the number of bids placed overall on all property types in Cockermouth has decreased. In particular, the average number of bids placed for two bed houses has fallen from a high of 26 bids per property in 2011 to 13 bids per property in 2016. Similarly, the average number of bids for two bed bungalows has fallen from 39 in 2012 to 18 in 2016.

Social properties are becoming available in Cockermouth. Since 2011, 8.35% of properties advertised on CBL have been in Cockermouth. This is the third highest availability of properties behind Maryport and Workington. It suggests that the LLP has become a barrier for many households in Allerdale by restricting a large proportion of Allerdale's social housing need from a regular supply of RP stock.

In 2013 the housing needs survey identified a five year need for 316 affordable properties for those with a local connection to Cockermouth. The 2016 housing study identified a need for 220 affordable properties over the next five years. Although, this shows a fall in need for affordable properties, only Keswick and Workington had a higher affordable need.

The messages coming from various sources indicate that there has been a change in the social housing market in Cockermouth. Households living in the town want to continue to live there as their housing needs change, however the need for social housing within the town is not as acute as it was a few years ago. This means that there is a need to amend the LLP, but that Cockermouth still needs some measures in place to prioritise the needs of local people.

### **3.0 Proposed Changes**

To add clarity to the LLP by introducing the following clauses:

1.2 stipulates that the LLP applies to all housing associations operating in Allerdale.

1.9 to ensure that RP tenants who are already suitably housed in a parish covered by the LLP will not be given priority over those whose housing needs are not being met.

1.10 states that the LLP also applies to shared ownership properties.

The following changes to the LLP are proposed in order to take account of the evidence described in section 2.0, and make the LLP better suited to the social housing market in Cockermouth.

Move the section of the policy relating to Cockermouth in to section 2.0 of the LLP, and make the following changes / insertions:

2.0 – change who must prove the local connection so that it is either the applicant or a member of their household who will be named on the tenancy agreement.

2.0.2 – change the definition of family association to bring the LLP in line with the Homeless Code of Guidance for Local Authorities<sup>1</sup> by stating that in order to give a local connection, children or step children must be over the age of 18. Step parents have been added to give them the same status in the LLP as other step relations.

2.0.3.1 – insert a clause to make it clear that only those with a work base in Cockermouth will be considered, not those who commute to the town for work, e.g. driving instructors or care workers.

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<sup>1</sup> Issued by the Department for Communities and Local Government, July 2006.

2.1 – include a cascade to gradually widen who is eligible for RP properties in Cockermouth, after four weeks properties can be offered to households with a connection to the adjoining parishes.

2.1.1 – after a further four weeks, properties can be offered to households with a connection to Allerdale.

This will bring the LLP in line with the Council's standard Section 106 planning obligation document. It will give preference to those with a local connection to Cockermouth without completely excluding households in other parts of Allerdale.

2.2 – inserts a definition of best endeavours

2.3 – inserts a clause that the RP's must provide evidence and reasoning for any application at the request of the Council.

2.4 – insert a clause that households must be able to demonstrate they cannot afford to buy in Cockermouth on the open market.

2.5 – states that households on low income will not be excluded from a property without prior discussion and agreement.

2.6 – anyone named on a tenancy agreement must not have an interest in any other property through tenancy or ownership, although approval may be given by ABC in exceptional cases.

2.7 – in applications where there is some doubt about eligibility the RP should contact the Council for clarification.

The following changes to the LLP are proposed to ensure that the LLP takes account of the section 106 planning obligations imposed by the LDNP but implements equal measures in all parishes covered by the LLP.

Move the section of the policy relating to Keswick and its surrounding parishes in to section 3.0, and make the following changes / insertions:

3.0.2.1 - inserts a clause to make it clear that only those with a work base in the Locality Defined will be considered, not those who commute to the town for work, e.g. driving instructors or care workers.

3.0.6 – amend the existing clause 3.0.6 to include a definition of “relative”.

This will end ambiguity about what is a “relative” and will also bring the LLP in line with the Homeless Code of Guidance for Local Authorities<sup>2</sup>.

3.0.6.2 – inserts a clause saying that evidence of care packages will be required before using clause 3.0.6 to claim local connection.

3.1 – introduces a cascade to say that after four weeks the property can be offered to households with a local connection to the LDNP North Distinctive Area. After a further four weeks the property can be offered to households with a local connection

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<sup>2</sup> Issued by the Department for Communities and Local Government, July 2006.

to Cockermouth and its adjoining parishes. After a further four weeks the property can be offered to a household with a connection to Allerdale. Clause 3.1.1 specifically excludes the parish of Threlkeld, although it is in the NDA it is not in Allerdale.

3.3 – inserts a clause that the RP's must provide evidence and reasoning for any application at the request of the Council.

3.4 – insert a clause that households must be able to demonstrate they cannot afford to buy in the parish they wish to move to on the open market.

3.5 – states that households on low income will not be excluded from a property without prior discussion and agreement.

3.6 – anyone named on a tenancy agreement must not have an interest in any other property through tenancy or ownership, although approval may be given by ABC in exceptional cases.

3.7 – in applications where there is some doubt about eligibility the RP should contact the Council for clarification.

#### **4.0 Consultation**

A consultation exercise has been carried out to seek the views of a range of key partners/stakeholders, on the proposed changes this included Housing Associations operating in Allerdale, Lake District National Park, Allerdale Council's internal planning department, Legal, and the Council's Portfolio Holder for Housing.

We have received feedback from both the LDNP and ABC planning authorities, Impact Housing and Home Group, and support from the Council's Housing Portfolio holder.

#### **5.0 Recommendations**

5.1 The Head of Housing and Health is asked to approve the adoption of the revised policy as detailed in this report.

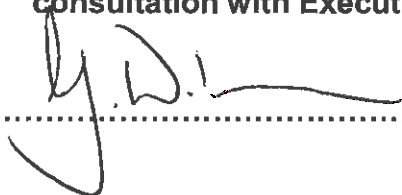
#### **6.0 Conclusion**

6.1 The proposed changes to the Local Lettings Policy will help support local people to access homes in areas they have ties to and in places where social housing is in low supply or high demand.

**Andrea Smith, Housing Development Manager**

**Approved by Head of Housing and Health (Delegated Decision) following consultation with Executive and Senior Management Team**

Signed: .....



Date: .....

14 / 3 / 2017

