

HOUSING MANAGEMENT CONSULTATIVE COMMITTEE

Agenda Item 51

Brighton & Hove City Council

Subject:	Local Lettings Plan – Bungalows in Lockwood Crescent and Kipling Avenue, Woodingdean		
Date of Meeting:	7 December 2009		
Report of:	Director of Adult Social Care and Housing		
Contact Officer:	Name:	Helen Clarkmead	Tel: 293350
	E-mail:	Helen.clarkmead@brighton-hove.gov.uk	
Key Decision:	No		
Wards Affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 Housing Management Consultative Committee in October 2009 requested that a feasibility study was carried out to look at the most suitable future lettings arrangements for the 6 bungalows in Kipling Avenue and Lockwood Crescent. It was suggested that these may be excluded from the general bungalow Local Lettings Plan, as this small development is a uniquely settled community of older, some very vulnerable, residents.

2. RECOMMENDATIONS:

- 2.1 That Housing Management Consultative Committee recommends to the Cabinet Member for Housing that the 6 bungalows in Kipling Avenue and Lockwood Crescent, Woodingdean, that meet the council's mobility standard, are not excluded from the citywide Local Lettings Plan for bungalows. This will mean they may be let to disabled people of any age with an assessed need for this type of accommodation.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The Cabinet Member for Housing agreed a Local Lettings Plan for the future letting of bungalows in November 2009. However it was agreed to look at the 6 bungalows in Lockwood Crescent and Kipling Avenue separately.
- 3.2 The bungalows have traditionally housed older people, although this has never been formally adopted as council policy.
- 3.3 The bungalows are suitable for people with restricted mobility, generally meeting mobility standard 2, but with some adaptation they could be made fully wheelchair accessible. The site is relatively flat, and although in a hilly location a bus stop is very close. There is a high level of demand from people of all ages for housing that is suitable for wheelchair users or other people who need level access accommodation.

- 3.4 Were the council to restrict letting these bungalows to people over a certain age, there is a strong possibility of successful challenge from disabled people younger than the lower age limit. The council would effectively be discriminating against younger disabled people by restricting the number of the few suitable properties for which they can be considered.
- 3.5 There are 782 households on the joint housing register who have been assessed as needing mobility standard accommodation. 137 are in urgent need of housing in Band A, and 443 with very high priority need to move in Band B. Most do not need sheltered accommodation, and many are under 50 years of age.
- 3.6 187 units of accessible housing were let in the year to November 2009. This supports the view that citywide, there is a lack of suitable accommodation for people who need mobility accessible housing, and the need to utilise all mobility standard property flexibly with no unnecessary age restrictions.
- 3.7 In order to meet the council's objective of making best use of housing stock, these bungalows need to be available to people of any age assessed as having a mobility need for this type of housing.

4. CONSULTATION

- 4.1 Residents of these bungalows, and ward councillors feel that these bungalows should be designated for people over normal retirement age or used as sheltered housing. Whilst these views are appreciated, the citywide need for mobility standard housing in the city outweighs the need for further sheltered units or for other retirement housing.
- 4.2 It is understood existing residents are worried that younger people may cause noise and other nuisance. Perpetrators of anti social behaviour are dispersed across the age spectrum, including over retirement age. All new tenants are subject to assessment during the first year of their tenancy, and do not become secure tenants if there is a serious breach the terms of their tenancy agreement.
- 4.3 The new tenancy agreement, clear focus and increased emphasis on enforcement should further alleviate resident's concerns. We will ensure prospective residents are made aware of the peaceful nature of the community, and of what we expect of tenants before they accept the property. All new residents here receive very early tenancy visits, usually within the first week, to ensure they understand what is expected of them.
- 4.4 A floating support service is available to older people in Woodingdean, including residents of these bungalows with an assessed need for that service. Carelink Plus alarms are available to residents.
- 4.5 Most people with high priority for sheltered housing are housed reasonably quickly, and there are existing sheltered housing schemes where demand is relatively low. This supports the view that there is greater need for additional mobility standard than for more sheltered housing.
- 4.6 The council's Accessible Housing coordinator has been consulted and strongly supports the recommendation that these accessible bungalows are let on the basis of assessed mobility need, without age restriction.

5. FINANCIAL & OTHER IMPLICATIONS:

5.1 Financial Implications:

There are no direct financial implications to the HRA budget from the recommendations in this report.

Finance Officer Consulted: Susie Allen, Principal Accountant Date: 12/11/2009

5.2 Legal Implications:

The legal basis for Local Lettings Plans is section 167(2E) of the Housing Act 1996 which enables local housing authorities such as the council to allocate particular accommodation to people of a particular description, whether or not they fall within the reasonable preference categories. Local lettings plans may be used to achieve a wide variety of housing management and other housing policy objectives, such as a reduction in the proportion of older children/young adults on an estate to reduce the incidences of anti-social behaviour. Government guidance counsels that when operating local lettings plans, housing authorities need to ensure that, overall, reasonable preference for allocations is given to applicants in the reasonable preference categories; and that local lettings plans do not discriminate, directly or indirectly, on racial or other equality grounds. Consequently, it is not usually appropriate to apply local lettings schemes to more than a limited part of a local authority's stock. Section 3 of the report provides justification for including the 6 bungalows in the citywide Local Lettings Plan for bungalows.

Lawyer Consulted: Liz Woodley Date: 20/11/2009

5.3 Equalities Implications:

An Equalities Impact Assessment concluded this recommendation does not unjustly disadvantage any group, and that not having an age restriction for future lets removes any disadvantage that would otherwise be suffered by younger disabled people. There are very few council properties that are suitable for people with restricted mobility. Placing age restrictions on the letting of these bungalows would unjustifiably disadvantage disabled people outside the specified age range. These proposals maximise the housing options available to people with restricted mobility.

5.4 Sustainability Implications:

There are none.

5.5 Crime & Disorder Implications:

There are none

5.6 Risk and Opportunity Management Implications:

There are none

5.7 Corporate / Citywide Implications:

There are none

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 It was considered if these bungalows should be let as sheltered housing, but concluded that the demand for mobility accessible housing outweighs the need for further sheltered units.
- 6.2 It was considered if these bungalows should be subject to an age restriction, but this was discounted as unjustifiably discriminatory against younger disabled people.
- 6.3 It was considered if these bungalows should be let with priority to people releasing family housing, but this, again, was considered to be unjustifiably discriminatory against disabled people not releasing family housing.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 To formally agree arrangements for the future letting of bungalows in Kipling Avenue and Lockwood Crescent, Woodingdean.

SUPPORTING DOCUMENTATION

Appendix: There are none

Documents In Members' Rooms There are none

Background Documents

- 1. The council's Housing Allocations Policy as adopted by the Council at Cabinet Member for Housing Meeting 11 March 2009.
- 2. Local Lettings Plans – Lettings restricted to persons over 50 years of age and Bungalows. Report to Housing Management Consultative Committee October 12 2009 and to Housing Cabinet Member Meeting November 11 2009.