

## **Appendix 8 to Paper No 20-07**

### **Local lettings plan for the regeneration of housing estates of Alton and Winstanley & York Road**

The council has a published Housing Allocation Scheme, which determines the priorities and defines the procedures to be followed in assessing applications under part 6 of the Housing Act 1996 (as amended) and allocating council accommodation. It is a key policy objective of the council to regenerate identified housing estates in the borough which will require demolition of whole or part of these estates, and that tenants are rehoused within a set timescale.

To ensure a timely, fair and consistent approach to rehousing affected secure council tenants (including those occupying on fixed term flexible tenancies), and leaseholders, a local lettings plan will be published as a supplementary document to the council's Housing Allocation Scheme and would apply to all tenants who have resided in their property on either of these estates for twelve continuous months before being asked to or requesting to leave their home. This local lettings plan will not apply to households occupying accommodation provided by the council as temporary accommodation, pursuant to the Council's duties under homelessness legislation. The qualification of this scheme to resident homeowners is captured in the Resident homeowners guides for each scheme.

This local lettings plan is for the Winstanley and York Road and the Alton Regeneration schemes to ensure that there is sufficient flexibility to facilitate the timely decant of residents from their homes, as required to deliver vacant possession. It effectively ring-fences the newly built homes for the purpose of rehousing those residents in first instance, accounting for identified local need thereafter.

#### **The schemes**

In 2013 the council commenced an ambitious master planning exercise to regenerate the Winstanley and York Road and Alton estates. In July of the same year, the council published its commitments to the secure council tenants and homeowners, so that they could consider the possible development plans with the knowledge that the scheme was very much for the benefit of the residents of the estates. These commitments outlined a number of key principles for secure council tenants, resident homeowners and property owners. The offer to secure council tenants is set out below;

- You will be offered an alternative home on a social rent within the new development or in the local area, unless other rehousing options are preferred.
- The new home will have no less security of tenure than you have now.
- You will retain your right to buy.
- The size of your new home will be assessed on your Housing need contained within the bedroom standard of the Council's allocation scheme.
- If you are under occupying you will offered an incentive to downsize to a property which meets your assessed need, or the choice of a new home one bedroom over your assessed need, (as long as you are not impacted by the spare room subsidy) as identified in the Housing (Re-let property)

Section 2 of the Local Government Act 2000.in accordance with the room to move scheme

- The development will be phased to minimise the use of temporary housing, aiming for a one move only, into your new home.
- The new properties will meet the current Mayor of London's quality and size standards.
- There will be opportunities for tenants to purchase a new low-cost homeownership with in the new development or elsewhere in the borough with help from the council.
- If your tenancy in your current home is 12 months or more you will be entitled to home loss compensation for each household, this is determined by central government and regularly reviewed. In addition to this the tenant will have reasonable moving and decorating costs met in line with the statutory requirements as identified under sections 29 and 37 of the Land Compensation Act 1973; Planning and Compensation Act 1991, Section 68.

### **Development Phasing plans**

The phasing plans for each scheme have now been published. These are published with anticipated timeframes; however, these are indicative as the development and delivery of the new homes is often reliant on a number of factors. All moves for residents in blocks impacted by the schemes will now be completed under this local lettings plan and offers should be considered in line with the phasing plan for each scheme, as well as other stock and housing management considerations.

The phasing plans are published documents available on the council's webpages for each scheme. Below is the order in which blocks in the schemes will be demolished as identified in those plans, without identified timelines.

### **Winstanley and York Road**

1. Pennethorne House
2. Lavender Road
3. Scholey House
4. Kiloh Court
5. Jackson House
6. Arthur Newton House
7. Holcroft House
8. Shepard House
9. Gagarin House
10. Farrant House
11. Chesterton House
12. Ganley Court

### **Alton**

1. Sherwood Lodge (demolished 2019)
2. 11-29 Danebury Avenue

3. 190 Roehampton Lane
4. 2a Minstead Gardens
5. Portswood Place
6. Harbridge Avenue Even nos. 2-84
7. Kingsclere Close
8. 31-115 Danebury Avenue
9. Harbridge Avenue Odd nos. 1-115
10. 117-243 Danebury Avenue

## **1. Early Moves**

An 'early move' applies when a resident in an identified impacted housing block, on an estate which is being regenerated, wishes to be offered accommodation outside of the new homes being built, elsewhere within the rest of the boroughs stock.

### **1.1 Eligibility**

All existing secure council tenants who have held their tenancy for 12 months are eligible to apply for an early move; applications are processed and assessed in line with the banding and points scheme, with successful applicants being placed in (the highest) Band A under Regeneration decants, as accepted on to the councils interest queue, to explore whether there are options for an early move, that they wish to take up.

### **1.2 Tenants who may not qualify for an early move**

There may be exceptions to those whose applications may not be considered for an early move. The Regeneration Team should have due regard to the Housing Allocation Scheme "who is not a qualifying person", when making referrals to the Housing Options and Assessment manager, including making contact with the relevant Area Housing Team Manager with regards to any grounds for adverse behaviour which should be considered.

### **1.3 Area and accommodation choices**

It is noted that it is the council's policy not to offer a choice of housing accommodation, but to allow an expression of preference in relation to the location of accommodation that may be allocated to them (Housing Allocation Scheme), which may identify areas in the borough, type i.e. house. Residents are made aware that the council has limited stock and that expressing restricted preferences they may be limiting the opportunities of an offer of accommodation.

### **1.4 Offers**

Cases accepted are then made offers of accommodation in line with their assessed medical and accommodation needs, which are assessed in line with the Housing Allocation Scheme, with regard to the resident's preference and the phase in which they have been identified to move home into new build properties in the scheme.

All offers of accommodation will meet the households most recently assessed housing needs, as long as it can be considered an offer of suitable accommodation. Tenants who have

registered for an early move will be made offers of accommodation in order of the hierarchy below, (subject to suitability considerations);

- Block position in the phasing plan
- Medical or other circumstances which cannot be met in their current property
- Tenant under-occupying their property and willing to downsize.
- Tenant over crowded in their property
- Time registered on the early moves queue

### **1.5 Refusals**

Section 3.14.0 to 3.14.5 of the Housing Allocation Scheme (as approved September 2016) 2015) identifies that applicants will generally receive one offer of accommodation however applicants registered for an early move will be considered under the exception to the one offer policy as identified in this section.

Rejections of an offer of accommodation will not prevent further offers being made. However, the Regeneration Team will note the offers made to applicants and more than one refusal will require a further early moves interview to be carried out. This is to ensure that the tenant understands the implication of not accepting a property for an early move out of the scheme. Decisions regarding the status of the application will be made in line with s3.14.5 the Allocation scheme

Failure to identify a suitable property as part of the early moves process will result in residents being allocated accommodation in the new build scheme at the time their property is required for demolition. This offer will meet their assessed need and will be considered a suitable offer of accommodation.

## **2. First phase moves for Residents of Pennethorne house to identified “off sites”**

During the master planning consultation for Winstanley and York Road Regeneration Scheme, the council identified that in order to ensure the flexibility of both the decanting of buildings and the build programme that the eligible residents in the first block earmarked for demolition would need to move ‘off site’. Committee paper 15-200 identified the “off sites” which would be ring fenced entirely for residents from the Winstanley and York Road estates, and specifically for the block which requires demolition first, namely Pennethorne House.

### **2.1 Eligibility**

All existing secure council tenants who have held their tenancy for 12 months and over will be required to apply for rehousing; applications are processed and assessed in line with the banding and points scheme, with applicants being placed in Band A, (the highest band) under Regeneration decants, as accepted on to the council’s interest queue. This assessment will include, where relevant, a full medical assessment which may also include Occupational Therapy assessment of need for specially designed accommodation due to a physical disability.

## **2.2 Tenants who may not qualify**

There may be exceptions to those whose applications may not be considered for re-housing into the off sites and new scheme housing. The Regeneration Team should have due regard to the Housing Allocation Scheme “who is not a qualifying person”, when making referrals to the Housing Options and Assessment manager, including making contact with the relevant Area Housing Team Manager with regards to any issues around behaviour as detailed in section 2.3.3 of the Council’s Allocation Scheme.

## **2.3 Accommodation choices**

Residents are made aware that whilst they may express preference for a particular off-site location or floor level and position within the blocks, except for where the medical assessment identifies a specific need, allocation to units within the block are made in line with the allocation scheme with consideration of expressed preferences.

## **2.4 Offers to the offsites**

Cases accepted are then made offers of accommodation in line with their assessed medical and accommodation needs, which are assessed in line with the Housing Allocation Scheme, with regard to the resident’s preference, as well as the phase in which they have been identified to move from their home, into one of the new build properties in the scheme.

Secure council tenants will be made an offer of accommodation, which will have considered the following factors as are applicable, whether singularly or in combination,

- Block position in the phasing plan
- Medical /mobility or other circumstances which cannot be met in their current property
- Tenant under-occupying their property and willing to downsize.
- Tenant over crowded in their property and within this those who are more overcrowded?

## **2.5 Refusals**

Section 3.14.0 to 3.45.5 of the Housing Allocation Scheme (as published in approved September 2016) identifies that applicants will generally receive one offer of accommodation. Should a tenant refuse the offer of accommodation into the new identified new build property, a refusal interview will take place with the Regeneration Team Manager or her/his nominee. The tenant will be advised of the legal position in relation to refusal of accommodation and will be offered reasonable financial support from the council to seek independent legal advice on their rehousing. Legal fees to be agreed with the councils appointed legal representative, in advance of instruction by the tenant.

Applicants will be expected to indicate acceptance or refusal of the offer in writing by return of the offer acceptance form within two weeks of receiving it in writing. The offer of the property into the new build block will remain open for a maximum of 3 months and alternative offer of accommodation into social housing may be made whilst necessary procedures are followed to ensure vacant possession to facilitate progression of the Regeneration of the estates.

Refusals of offers of accommodation from applicants as unsuitable, will be considered jointly by the Head of Housing Services (Allocations and Provision) or Allocations Manager (or deputy) and the Regeneration Team Manager (or nominated officer). Should the officers require a determining position it will be considered by an Assistant Director (either for Housing Services or for Housing Management).

## **2.6 Right to return for residents of Pennethorne House**

Residents in the identified block will be required to move to a new build property on the one of the off-sites. This property would meet their current assessed need; including any adaptations which are assessed as being required by an OT. At the time of making the move the residents would be asked to identify whether it was likely that they would want to return to the main Winstanley and York Road regeneration scheme. It has been committed that all residents who move in the first phase may choose to return to main site, this will be subject to the caveats below;

- when sufficient properties have been built to create sufficient supply to allow future phases to decant on the main site;
- the tenant has been residing in the property as their only and principal home at the time of the move to the off-site property and at the time of returning to the main site;
- the property has not been extensively adapted to meet specific disability adaptations of the tenant, outside of lifetime home standards; and
- the tenant remains eligible and qualifying for allocation.

## **2.7 Right to return notice**

At the time of their move from the Pennethorne House to their new homes on the off sites, all residents who indicate that they would potentially wish to return to the main Regeneration site on Winstanley and York Road, would be given a right to return notice. This would be given with an indicative year that the property on the main site would reasonably be expected to be available, an application would be needed to reallocate to a new home.

In this circumstance, reasonable removal costs will be met twice; however, home loss compensation will be paid once only, on the first move. Consideration will be given to reinstatement costs; however, due to both properties being new build these may be limited to relocation of services such as electrical connections, internet, redirection of post, and will be considered on a case-by-case basis only.

## **3. Moves to new build homes in the regenerated schemes**

New homes will be available to residents in line with the phased development plans. Should there need to be a change to the phased development plan, all residents will be advised in writing and offered an interview with their case officer to discuss the implications for their application for re-housing. The phasing plans have been developed with a development time table which is indicative, as it can be influenced by planning and build programmes, which are beyond the control of the council.

### **3.1 Eligibility**

All existing secure council tenants who have held their tenancy for 12 months or more in their substantive tenancy if they have moved to an infill site will be required to apply for rehousing; applications are and assessed in line with the banding and points scheme, with applicants being placed in Band A, (the highest band) under Regeneration decants, as accepted on to the councils' interest queue. This assessment will include a full medical assessment which may also include Occupational Therapy assessment of need for specially designed housing

### **3.2 Tenants who may not qualify**

There may be exceptions to those whose applications may not be considered for re-housing into the off sites and new scheme housing. The Regeneration Team should have due regard to the Housing Allocation Scheme "who is not a qualifying person", when making referrals to the Housing Options and Assessment manager, including making contact with the relevant Area Housing Team Manager with regards to any issues around adverse behaviour which should be considered.

### **3.3 Accommodation choices**

Residents are made aware that whilst they may express preference for a location, floor level and position within the blocks, except for where the medical assessment or other health and safety issues identifies a specific need, allocation to units within the block are made in line with the allocation scheme with consideration of expressed preferences.

### **3.4 Offers to the replacement new build home as the published phasing plan**

All cases accepted for re-housing are made an offer of accommodation in line with their assessed medical and accommodation needs, which are assessed in line with the Housing Allocation Scheme, with regard to the resident's preference. This offer will be made a minimum of six months prior to the property being available.

Secure council tenants will be made a suitable offer of accommodation, which will have considered the following factors, whether singularly or in combination.

- Block position in the phasing plan
- Medical /mobility or other circumstances which cannot be met in their current property
- Tenant under-occupying their property and willing to downsize.
- Tenant over crowded in their property
- Current location in their existing block

### **3.5 Refusals**

Section 3.14.0 to 3.45.5 of the Housing Allocation Scheme (as published in approved September 2016) identifies that applicants will generally receive one offer of accommodation. Should a tenant refuse the offer of accommodation into the new identified new build property, a refusal interview will take place with the Regeneration Team Manager, or his/her nominee. The tenant will be advised of the legal position in relation to refusal of

accommodation and will be offered reasonable financial support from the council to seek independent legal advice on their rehousing. Legal fees to be agreed with the councils appointed legal representative, in advance of instruction by the tenant.

Applicants will be expected to indicate acceptance or refusal of the offer in writing by return of the offer acceptance form within two weeks of receiving it in writing. The offer of the property into the new build block will remain open for a maximum of 3 months and alternative offer of accommodation into social housing may be made whilst necessary procedures are followed to ensure vacant possession to facilitate progression of the Regeneration of the estates.

Refusals of offers of accommodation from applicants as unsuitable, will be considered jointly by the Head of Housing Services (Allocations and Provision) or Allocations Manager (or deputy allocations manager) and the Regeneration Team Manager (or nominated officer). Should the officers require a determining position it will be considered by an Assistant Director (either for Housing Services or for Housing Management).

#### **4. Meeting assessed need – Early moves, and New Build homes**

All homes new homes built as part of the regeneration scheme will be built to meet the Mayor's Design Guide Standards. Homes will be built to meet the housing needs for a mixture of family sizes, including innovative solutions to larger family accommodation of four bedrooms or more.

The commitment to all secure council tenants in the scheme is that they will be offered a home which meets their assessed current need based on all household members who can reasonably be expected to be considered part of the application. The Housing Allocation Scheme, part three, sections 3.00 to 3.0.1 and 1, notes people who can be considered on an application. Exceptions to this policy will be considered at 4.4 below.

##### **4.1 Size of accommodation and bed rooms required**

A full housing needs assessment will be carried out prior to a detailed planning application for the phase in which the new property is to be built, and a further assessment 6-12 months before the building starts on site. The number of bedrooms in your new property will be determined by the size and composition of your household, as detailed in the Housing Allocation Scheme, at the time of the first housing needs assessment.

Single person households, lone pregnant women and couples will be allocated a self contained one-bedroom property. There will be no studio accommodation built in the new scheme.

Thereafter one room is required for:

- a couple;
- each un-partnered adult aged 21 years or older;
- each pair of adolescents aged 10-20 of the same sex; and
- each pair of children under the age of 10 regardless of sex.
- Where none of the above applies a person ages 10-20 years will be paired with a child under the age of 10 years of the same sex.
- Any remaining unpaired person will be allocated a separate bedroom



#### **4.2 Medical circumstances**

Due regard to medical / mobility requirements will be given in the allocation of properties, such as a need for ground or lower level floors in a building, or additional bedrooms/storage space to meet a medical need. Advice on the implications of a medical condition on an applicant or family members need will be sought from the applicant/household members' doctor/specialist and considered with advice from the councils' medical advisor.

#### **4.3 Under occupation**

Where a tenant is under occupying their current home by more than one bedroom, they will be able to keep one bedroom over their assessed need, should they want to when offered a home in the new development. It will only be possible to keep one bedroom over their assessed need if they do not have rent arrears. When an additional room, over the assessed need, is retained by a tenant, where the spare room subsidy would apply, the tenant remains responsible for meeting this cost.

All tenants will be offered incentives, details in line with the Housing Allocations scheme, for each bedroom given up, in line with the "Room to move scheme", as detailed in the Housing Allocation Scheme. We also consider split households for existing under-occupiers.

#### **4.4 Larger/multigenerational families and adult children**

The council has committed to re-housing families to meet their assessed housing need and the scheme will take into consideration large families and will seek to build large units where necessary. A larger property is one which is considered to have four bedrooms or more.

In order to ensure that there is best long-term use of council properties, where there are older generations - such as grandparents in a family home - which creates a need for a larger property, in discussion with the household against the realities of what is possible it may be appropriate to offer more than one unit of accommodation. This would consider any caring responsibilities the household members may have.

Where a need for large family homes (i.e.4 bedrooms and larger) is created by adult children (over 21 years of age) living in the home, for whom the bedroom size criteria permit an additional bedroom, in discussion with the household, consideration will be given to offering a separate tenancy for the adult child(ren). This is subject to stock availability and would be one offer of accommodation only, anywhere in the borough. An assessment would be undertaken to determine if the adult child is a qualifying and eligible person and can manage a tenancy. We would only consider children who were part of the original household and have no other home.

Such additional tenancies, created over and above the replacement secure tenancy, will be issued in line with the Council's tenancy policy, and would not attract a home loss payment or reinstatement costs, although removal costs would be met

The Housing Allocation Scheme permits that tenants can request one or two bedrooms below their assessed need, except where statutory overcrowding is likely to be caused.

#### **4.5 Sheltered housing**

Tenants who wish to move to sheltered accommodation in the borough, whether through an early move or in-phase, will be awarded priority Band A in the Older Persons Housing Queue.

Whilst all eligible and qualifying applicants will be encouraged to make their application to sheltered accommodation as early as possible, because offers from this queue are dependent on voids becoming available in limited stock, it may be that a tenant needs to be moved into the new build property in the first instance, and then moved again when a sheltered unit becomes available. In this circumstance, reasonable removal and reinstatement costs will be met twice; however, home loss compensation will be paid once only, with other associated costs being made as necessary on the second and final move.

#### **4.6 Homes fully adapted for wheelchair users /those who need specially designed homes due to physical disabilities**

New homes which have been designed for wheelchair users (normally 10% of homes) built as part of the regeneration schemes will be offered to affected residents of the scheme who are wheelchair users in the first instance. In order to ensure best use of a limited housing stock type offers to these properties will be made as below;

- Wheelchair user in the applicable phase;
- Wheelchair user in subsequent phases of the phasing plan
- The boroughs physical disabilities queue.