

BIRMINGHAM CITY COUNCIL

Local Lettings Plans (LLPs)

Key Requirements and Guidance

Version 2.4
Effective 16th March 2018

Scope

This Local Letting Plan framework applies to all Birmingham City Council lettings and Registered Providers lettings that are part of the Nominations Agreement. This framework does not apply to Registered Provider lettings outside of the Nominations Agreement.

Key Requirements: Local Lettings Plans (LLPs)

Legal & Policy Framework

Birmingham City Council is required to make all allocations in accordance with a published Allocations Scheme. Under the relevant legislative framework the Local Authority is deemed to have made an allocation where it nominates to a Registered Provider of Social Housing. As such, nominations are governed by the same provisions and must also be made in accordance with the Authority's published Scheme.

Section 166A(6)(B) of the 1996 Act enables housing authorities to allocate particular accommodation to people of a particular description, whether or not they fall within the reasonable preference categories. This is the statutory basis for so-called 'local lettings policies'.

The provision to utilise a LLP within certain defined geographical areas is included within Birmingham City Council's Allocations Scheme (2017). A LLP can allow for adjustments to the main Allocations Scheme (2017) that will meet specific local issues.

All LLP's for any neighbourhood or scheme in Birmingham (including those submitted by Birmingham City Council Officers), must be approved by Birmingham City Council.

Purpose of a Local Lettings Plan

A LLP is one of the key ways for Local Authorities and partners to address particular circumstances where there is strong evidence that letting through the allocation scheme will compromise its sustainability for example;

- By giving a mix of household sizes, often in new developments, to help form a balanced community.
- By reducing the likelihood of anti-social behaviour (ASB) in an area with existing high levels of ASB, by including ineligibility for housing on the grounds of applicants previous behaviour (note, this should be limited to the last 2 years of behaviour).
- By tackling areas of low demand
- By improving community stability and cohesion where there are high rates of transitory letting in surrounding properties, across all tenures or where clearance is required within settled communities.

However, a LLP must not dominate the Scheme at the expense of the statutory reasonable preference categories.

LLP's will be time limited and area or scheme specific.

LLP's will not be approved where blanket exclusions are evident that include but are not restricted to;

- Previous conviction, which should not be considered to constitute an automatic barrier to access, especially for low-risk offenders. Eligibility should only be in question if there is reason to suppose that the ex-offender is likely to pose a risk to their household, neighbours and / or the wider community.

Local Lettings Plan Length and Review

- LLP's will be approved for a maximum of 3 years.
- The LLP should be reviewed at least annually by the proposing organisation in order to reassess the continuing impact and relevance
- The local authority will be provided with a copy of the annual review outcomes of the LLP.

Local Lettings Plan Content

Proposals for local lettings policies should set out the following:

- a clear definition of the objective(s) to be achieved, backed up by clear evidence
- a method which is likely to achieve the objective(s)
- a potential (equality) impact assessment
- how the scheme will be monitored and who will be involved
- mechanisms of reporting and reviewing the scheme
- how the views of local communities have shaped the scheme
- a clear exit strategy

These elements have been included in the notes identifying what is required in each box of the attached form.

Guidance Notes: Completing the proposal template.

Note 1 Coverage of LLP (Box 7 on the form)

The proposal should include a map clearly defining the boundaries of the area to be included in the proposed LLP. Alongside this the number of affordable housing properties affected by the proposal, there type and ownership should be included here.

Note 2 Start Date of LLP (Box 8 on the form)

The date the LLP starts from needs to allow time for all changes to the operational processes undertaken by BCC Allocations team and any other organisation to be implemented. Where possible this will be minimised through placing details of the LLP restriction in the advert, but this will not be suitable for all plans. Where a change to the operation process is required, at least 12 weeks from the point of sign off of the LLP to implementation will be required, but could be longer if complex changes are required.

Note 3 Reasons for proposed LLP (Box 9 on the form)

This should cover the objective to be achieved through the introduction of the proposal and the reason that a plan needs to be considered as an appropriate course of action.

It should include the issue(s) that need to be tackled and the expectation of how the proposed LLP will achieve the intended outcomes.

Note 4 Evidence of need for LLP (Box 10 on the form)

Full evidence supporting the need for the proposal should be provided here. The evidence should clearly show that the current allocations scheme is not dealing with the issue(s) that the LLP will tackle.

This should cover basic performance information on the stock in the area being covered and comparisons to organisation information.

Beyond this any information that is specific to the proposal should also be included. The evidence provided should provide a robust and clear justification to support the reason for introducing an LLP.

Note 5 How will the LLP be applied (Box 11 on the form)

This section should detail the methodology to be used to implement the LLP. It should contain any variations from the existing policy, including any changes to the agreed nominations process. The LLP should not affect the number of nominations that would be generated. Where new processes are being proposed, these should be detailed separately as requested. The description here should allow BCC to understand how the proposal would operate and any operational issues that may result.

Note 6 What is the plan to exit the LLP when it ends (Box 12 on the form)

This section should include how the intended outcomes from the LLP will be maintained when the LLP ends, rather than the problem re-occur once the LLP ends.

Note 7 Legal Implications (Box 13 on the form)

Where any legal implications have been identified these should be detailed here. It should include a description of how the issue(s) is being addressed and any legal action that may result.

Note 8 Consultation (Box 14 on the form)

Consultation that has taken place with the local community and any other party should be detailed here, along with date(s), method(s) and response details.

This should include other registered social providers within the immediate area, not included within the LLP – as they will be affected by the change in lettings by the LLP.

Additionally ward councillors should also be consulted.

The results of the consultation and any changes to the proposal that were made should be detailed here as well. This should show how the views of the local community, and other respondents, have been incorporated into the proposal.

Note 9 Impact Assessment (Box 15 on the form)

The impacts of the proposed LLP need to be assessed. This should include the impacts on any groups who are being given less preference and accompanied by modelling to detail the scope of the issue. The impact assessment needs to show projected



impact on other RPs and the private rented sector within the LLP coverage area.

Alongside this any mitigation measures, including lettings outside of the proposal should be detailed.

In addition to this, details of how any mitigation plans will be monitored should be provided.

Note 10 Monitoring of the LLP (Box 16 on the form)

Details of how the outcomes (detailed earlier in the form) are to be measured should be recorded here. Each measure needs to be specific, measurable and relevant. Additionally each measure should be available in a timeframe to allow understanding of how the LLP is progressing.

Each measure should have associated with it a point where escalation is required. This needs to be stated. Alongside this where issues are identified and escalation is required, the process of escalation should be detailed.

If any review of the LLP is proposed, the timeframe for undertaking this should be given. The LLP should be reviewed at least annually, but further reviews maybe helpful, such as shortly after its introduction.

Finally the annual monitoring reports need to be sent to BCC Allocations team.

Note 11 Plans to communicate the LLP to stakeholders (Box 17 on the form)

Plans to publicise the LLP prior to its implementation should be included in this section. This should cover all stakeholders affected by the LLP.

Once completed, the LLP will be made available alongside the scheme by BCC.

A clear 'launch date' should be set and advertised in relevant accessible places, such as Housing Option centre, letting suites, relevant RP offices, neighbourhood advice and information service offices and on relevant websites.

Note 12 Approval (Box 18 on the form)

Please provide details of the approval process that the LLP has gone through within your organisation.

Checklist: LLP Approval

BCC Allocations	
Date Local Lettings Plan received by BCC Strategic Housing Function	
Confirm all information has been included/obtained	
Comments regarding the impact and outcomes of proposed LLP	
Proposed Implementation date	
First Review Date	
BCC Strategic Housing Function Approval	
Approved by Lead Strategic Housing Function	
Approval Date	
Final Approval	
Joint Cabinet Member and Corporate Director Approval	
Approval Date	

Local Lettings Plan Submission and Approval Process

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