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**Meeting:** Executive  
**Date:** 5 February 2013  
**Subject:** Local Lettings Policy – Outcome of Rural Exception Sites Consultation Process  
**Report of:** Cllr Carole Hegley, Executive Member for Social Care, Health and Housing  
**Summary:** The report provides Members with details of the outcomes from the consultation for a Local Lettings Policy (LLP) for Rural Exception Sites. The report proposes that the adoption of the Local Lettings Policy for Rural Exception Sites be recommended by the Executive.

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**Advising Officer:** Julie Ogle, Director of Social Care, Health and Housing  
**Contact Officer:** Hamid Khan, Head of Housing Needs  
**Public/Exempt:** Public  
**Wards Affected:** All  
**Function of:** Council  
**Key Decision** Yes  
**Reason for urgency/  
exemption from call-in  
(if appropriate)** Not applicable

## **CORPORATE IMPLICATIONS**

### **Council Priorities:**

This Policy will directly contribute to the Enhancing Central Bedfordshire Priority, by managing growth. Increasing housing supply and meeting local housing need in Rural Exceptions sites will also indirectly contribute to other priorities.

### **Financial:**

1. There are no direct financial implications as a result of this report.

### **Legal:**

2. The Policy complies with the Housing Act 1996, Part VI and the relevant Statutory Instruments. The Policy also reflects the changes in the Localism Act 2011 and Legal Counsels' opinion has been integrated into the formulation of this Policy.

**Risk Management:**

3. There are no direct risk management issues as a result of this report.

**Staffing (including Trades Unions):**

4. There are no direct staffing issues as a result of this report.

**Equalities/Human Rights:**

5. Public authorities have a statutory duty to promote equality of opportunity, eliminate unlawful discrimination harassment and victimisation and foster good relations in respect of nine protected characteristics; age disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Research has identified that vulnerability is particularly linked to groups including older people, disabled people, people with low levels of literacy, people from poorer socio economic groups, people experiencing domestic violence, some people from ethnic minority communities including migrant workers and Gypsies and Travellers, and people from lesbian, gay, bisexual and Transgender communities.
6. A full Equality Assessment has been carried out and has identified some areas of concern and how these concerns can be mitigated.
7. The demography of rural villages tends to be made up of a high proportion of white, middle class older people. The LLP should increase the diversity of villages with the increase in young people and young families living in the area and people of lower incomes. However as properties will most likely be allocated to people with family links, non-white British people will have less opportunity to live in affordable housing in a village, which could be deemed indirect discrimination.
8. The LLP should increase the diversity of villages with the increase in young people and young families living in the area and people of lower incomes. The Policy will ensure that affordable housing on certain sites in rural areas is allocated to people with a local housing need. This will have a positive impact on people who are currently being squeezed out of their home village, prohibited from living closer to local family and support networks and missing out on job opportunities. There will also be a positive benefit to the local community as the village will become more sustainable as an increase in young families and working age adults will help maintain or encourage an increase in the local facilities.

9. The Policy will pursue a legitimate aim. The aim of the LLP is to increase the stock of affordable housing in rural communities and promote rural sustainability by allowing small scale development on green belt land. There is statistical and anecdotal evidence that there are insufficient affordable homes in rural areas of Central Bedfordshire causing overcrowding and dispersal of families. This has an adverse impact on generations of families in terms of providing ongoing care and support to one another. By increasing the stock of local affordable homes, the LLP has the potential to address this problem and could have a positive impact on mothers, carers, disabled people and older people.

**Public Health:**

10. Good quality housing contributes to a healthier community and also contributes to tackling health inequalities.

**Community Safety:**

11. There are no direct community safety issues as a result of this report.

**Sustainability:**

12. There are no direct sustainability issues as a result of this report.

**Procurement:**

13. There are no direct procurement issues as a result of this report

**Overview and Scrutiny:**

14. The Social Care, Health and Housing Overview and Scrutiny Committee considered the Local Lettings Policy at their meeting on 17 December and recommended to the Executive:
- that the Committee has considered the equalities/human rights implications detailed in the report and did not feel that proposals would lead to indirect discrimination such that the policy should not be approved; and
  - that the Local Lettings Policy for Rural Exception Sites in Central Bedfordshire be adopted.

**RECOMMENDATIONS:**

**The Executive is asked to:**

1. **note the contents of this report and the outcomes of the consultation;**
2. **agree to adopt the Local Lettings Policy for Rural Exceptions Sites as an appendix to the Allocations Policy 2012 (agreed by the Executive in November 2011); and**

**3. To delegate authority to the Director of Social Care, Health and Housing in consultation with the Executive Member for Social Care, Health and Housing to make any minor amendments to the Local Lettings Policy for Rural Exceptions Sites in Central Bedfordshire.**

*Reason for Recommendations:* So that rural exception sites can be used to develop affordable housing.

### **Executive Summary**

15. Central Bedfordshire Council is proposing a new Local Lettings Policy for allocation (or letting) to new homes on rural exception sites in Central Bedfordshire (a copy of the proposed Policy is attached as **APPENDIX A**). Rural exception sites are areas of land that would not otherwise be available for housing development but are exempt from normal Planning Policy on the basis that they provide small scale affordable housing developments in perpetuity. The draft LLP Policy sets out the qualifying criteria which people applying for social housing in rural exception sites would need to meet and the order of priority for allocating homes on these sites. This policy will be treated as an appendix to the Allocations Policy for Central Bedfordshire and is closely linked with Section 106 planning obligations.
16. If adopted, the new Policy will only apply to new sites that are developed; and will not apply retrospectively to homes that have been built on rural exception sites in recent years. Allocations to all existing sites will be made on the basis of the original Section 106 agreements that were signed, when the sites were developed. The draft Policy has been scrutinised by legal Counsel and undergone a comprehensive Equalities Assessment.
17. This Policy was endorsed by the Social Care, Health and Housing Overview and Scrutiny Committee and their recommendations are set out in paragraph 14 of this report.

### **Background**

18. The LLP for Rural Exceptions Sites allows the Council to further explore the principles of Localism and meeting the housing needs of residents in rural areas. The Policy will also compliment the Housing Offer for Central Bedfordshire as set out in the Housing Green Paper and Tenancy Strategy.
19. The Council has undertaken a broad consultation with all relevant customers and stakeholders to gauge their views on the new proposed Policy. The consultation ran from 13 February 2012 to 9 May 2012. Over 3,000 consultation questionnaires were sent out. All customer access points were sent posters and each Parish Council received a personalised ballot box to capture views directly from parish residents. 176 respondents replied to the Consultation.

20. The consultation asked all residents for their views on the Policy, but specifically the eligibility criteria for households that would qualify for housing in rural exception schemes. The consultation also asked residents about the six priority categories for housing allocation in such schemes.
21. A workshop to discuss the proposed Policy was also convened on 2 April 2012 and was attended by a broad range of stakeholders, including Parish Councillors.

### **Consultation Responses**

22. Central Bedfordshire residents (owner-occupiers) accounted for 39% of responses, 16% were from private tenants and 14% from Town and Parish Councillors. 22% of responses were from residents in some form of social housing. **APPENDIX B** outlines the highlight results of the consultation responses and should be read in conjunction with this report.
23. Overall 86% of responses either agreed strongly or agreed with CBC having a LLP for Rural Exception Sites.
24. The LLP has outlined priorities for housing in Rural Exception Site homes and indeed who should qualify for available homes on such sites. 93% of responses agreed strongly or agreed that persons applying for homes in Rural Exception Sites must have been in need of affordable housing. 79% strongly agreed or agreed that applicants should have a local connection to the specific Parish where homes are available.
25. There were strong positive responses of 78%, 74% and 68% for qualification priorities 1-3 respectively. These outline qualification on the basis of residence, close family connection and employment.
26. The responses for allocation criteria priorities 4-6 were less favourable with 58%, 60% and 55% strongly agreeing or agreeing with these proposals. These criteria relate to qualifying households who do not meet the initial criteria as set out in 1-3.
27. Some issues were highlighted by those who attended the LLP workshop on 2 April 2012. Broadly there was support for the Policy direction and its main principles but the following issues should be noted:
  - people currently residing in Rural Exception Site areas of development should have greater priority than those households with a prior residence of 10 years and that they should be separated;
  - wide range of views on minimum length of residence and how long it takes to establish residence; and
  - that in very small Parishes the view was that under occupation should be allowed, that is, households who do not necessarily require a 3 bedroom home should be allowed to reside in the home if they fulfil the relevant criteria.
28. The Social Care, Health and Housing Overview and Scrutiny Committee did not recommend the Policy be amended to take into account the views set out in paragraph 27.

## **Conclusion**

29. Overall there was real support from the consultation responses for having a LLP for Rural Exception Schemes. There was also broad support for the eligibility criteria and the priority categories, 1-3 for allocation homes on rural exception sites. Criteria 4-6 received a less favourable response, but still an overall positive reaction.

### **Appendices:**

Appendix A – Draft Local Lettings Policy for Rural Exception Sites

Appendix B – Consultation Results

### **Background Papers:** (open to public inspection)

EIA Local Lettings Policy Rural Exception Sites

Central Bedfordshire Allocations Policy 2012

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