

South Somerset District Council

Rural Lettings Policy



Aims & objectives

This policy covers all rural¹ general needs² social rented housing properties in South Somerset. It does **not** cover those properties which are governed by relevant section 106 planning agreement restrictions³.

The aim of this rural lettings policy is to enable people to remain in or return to a locality to which they have a local connection. The local connection eligibility criteria are defined later in this document.

One of the objectives of the Housing Strategy Implementation Plan⁴ is to make effective use of South Somerset's housing stock, and the possibility of a rural lettings policy was included in the draft strategy. Following formal consultation the council adopted the Implementation Plan in December 2014, including the commitment to develop such a policy along the lines suggested

In October 2014, there were 446 households expressing demand in rural parishes in South Somerset.

A draft policy was drawn up by the strategic housing unit in January 2015, with copies sent out to parish/town councils, district councillors, relevant housing associations, internal consultees such as operational housing, and the community land trusts for Norton Sub Hamdon and Queen Camel. A seven-week consultation period then took place, ending on 12 March 2015.

Finally, the revised draft was considered by the district executive on 2 April 2015.

Background

Homefinder Somerset choice-based lettings

The Homefinder Somerset choice-based lettings scheme is the means by which the majority of social rented housing in South Somerset is allocated.

¹ For the purposes of this policy, 'rural areas' means civil parishes which have a population of less than 3,000; that is, excluding Yeovil, Chard, Crewkerne, Ilminster, Martock, Somerton, South Petherton and Wincanton. Additionally, Castle Cary and Ansford are considered to be a single urban settlement, due to the contiguous nature of their residential areas, and (with a combined population of 3,361) are therefore excluded. For the same reasons, Langport and Huish Episcopi are also excluded.

² General needs properties make up about 80% of all social housing in South Somerset. In contrast, sheltered or supported accommodation is housing with special design, facilities and/or features targeted at a specific client group requiring support and due to their exclusive nature do not suit the purposes of this policy.

³ 'Section 106' refers to section 106 of the Town and Country Planning Act 1990. Relevant section 106 agreements give preference to people with a connection to a particular village/parish when letting/reletting properties built outside the normal development limit.

⁴ <http://www.southsomerset.gov.uk/planning-and-building-control/strategic-housing/>

Homefinder Somerset Common Lettings Policy section 22.4 (local connection) refers specifically to restricting applicants' eligibility to apply for specific properties unless they have a local connection to that particular area:

“Although the banding system reflects housing need and subsequently the priority of each application, there may be occasions when it may be appropriate to protect housing for local people.”

The way in which the registered provider (usually a housing association) labels their vacant properties at the public advertisement stage is agreed mutually between the registered provider and the relevant local housing authority. The Homefinder policy, however, does not clearly define which properties should be subject to a restrictive label for local connection applicants only.

This rural lettings policy clearly sets out the circumstances in which restrictive criteria (known as labelling) will be applied to vacant property adverts in rural areas of South Somerset where properties are **not** subject to a relevant section 106 agreement. This policy is designed to further complement the Homefinder Somerset policy.

Rural exception schemes

The take-up of the right to buy (and, since the transfer of former council stock to Yarlington, the preserved right to buy) has been disproportionate in rural settlements; at the same time, the opportunities for further provision have tended to be more limited. In many cases, it has taken years to take a rural exception scheme from concept to reality in order to meet very local needs that otherwise are not getting served through letting the existing stock if and when it becomes available.

Rural exception schemes⁵ typically give local preferences as follows:

1. to those with a proven local connection to the target village;
2. to those with a proven connection to the 'doughnut ring' (of immediately adjacent parishes);
3. to anybody with a connection to the district.

Where there is more than one household with a need for the size and type of property on offer and a local connection on the same tier, the normal Homefinder rules apply⁶. Usually the logic of the 'doughnut ring' of immediately adjacent parishes is to include all adjacent parishes (with a population of less than 3,000) even if they happen to be in a different district because the target village lies on the district border. This order of preference is well established and thus will also apply to this policy (see 'defining local connection', below).

Planning policy & section 106 agreements

In rural areas planning conditions are applied to new affordable housing developments built outside of the village envelope to ensure that the homes provided remain available and affordable to local people. As these conditions are set under section 106 of the Town and Country Planning Act 1990 they are usually referred to as section 106 agreements.

⁵ A rural exception scheme is where affordable housing is permitted, as an exception, outside of the usual development boundary for the settlement on the basis that the local needs of the settlement for affordable housing cannot otherwise be met within the same settlement.

⁶ That is, the vacancy will be let to the household with the highest banding and, if in the same banding, the longest effective date.

Under the Homefinder choice-based lettings scheme, applicants can express an interest in available properties during each weekly lettings cycle. However, on some housing development sites (due to the section 106 agreement), applicants with similar levels of need for a particular property or type of property are also assessed according to their local connection (as defined in the section 106 agreement). Those with a local connection who have the greatest need are given priority for consideration for the vacant property.

This rural lettings policy does not replace any section 106 agreements on new or existing properties. Properties which were developed with specific section 106 agreements in place are allocated in accordance with these agreements. Therefore this policy does not override any property being advertised through Homefinder Somerset that has a relevant section 106 in place. Any such properties will be clearly labelled on the property advert stating they are to be let under section 106 conditions.

Given the above it is unlikely that any property built before 1990 will have a section 106 agreement in place and thus this policy sets out to clearly define how those rural properties will be allocated in the future.

Methodology

Mendip District Council, in drawing up their own rural lettings policy, considered a number of options for determining which parishes would be affected by the policy; it was concluded that stock level per parish was the most appropriate given factors such as available resources, reliability of data and the principle of transparency. The details can be found in their policy document (see footnote 7). In South Somerset we intend to follow Mendip's example of basing the policy primarily on existing stock levels.

We have considered two options, based on the above principle of stock level per parish, for the implementation of South Somerset's policy.

1. Single cut-off point:

An analysis of total housing association general needs dwellings in parishes with less than 3,000 population suggests that a cut-off point of 20 dwellings (or fewer) would currently encompass 61 parishes and represent 5.3% of all general needs stock (although probably a lower percentage of vacancies as these tend to arise less frequently in rural locations; current analysis suggests around 2.3%).

2. Tiered approach:

This option includes all vacancies arising where there are 10 general needs dwellings or fewer (which would currently cover 44 parishes) and every other vacancy where there are 11 or more but fewer than 25 dwellings (which would currently cover a further 19 parishes). This would be equivalent to 5.8% of general needs stock (again, current analysis suggests around 1.5% of vacancies).

Data collected for the purposes of this methodology is based on the combined parish-level housing stock of all registered social landlords in South Somerset. Data

on housing need is not available at individual village level where there is more than one village in the same parish.

Upon careful consideration of the two options, including responses to the consultation on the draft strategy document, we have decided to base our methodology on the tiered approach to levels of stock in each parish, as described in option 2 above. This option gives some degree of local lettings to a wider area⁷ than a single cut-off point, but without completely excluding these extra parishes from other (non-local) applicants.

During the development of this policy we concluded that turnover of stock could not be considered due to the further complexities it would create. Considering turnover would create increased workload; in addition, it was felt that reviews of the policy would need to be more frequent to take into account annual turnover and as such it was felt the council does not have the resources to administer this – the cost of doing so would be disproportionate to the benefit gained. Stock levels can change, and every time an empty property became available the council would have to check stock levels in the relevant parish; this is a resource the council does not have. Also, we need to be mindful of the timescales required via Homefinder in respect of reletting empty properties.

In determining this we must be mindful of our obligations to ensure that any choice-based lettings scheme is transparent and open to scrutiny, whilst ensuring the council meets its legal obligations in terms of giving reasonable preference to defined groups (see below).

Stock levels

There are 121 parishes in South Somerset over 96,000 hectares with a total of 11,388⁸ social housing properties, of which 8,884 are general needs properties. The balance comprises shared ownership properties, sheltered/supported housing and temporary accommodation.

Reasonable preference

The Housing Act 1996 (as amended by the Homelessness Act 2002) requires that all local housing authorities have a written policy that determines the priorities and procedures to be followed when letting social rented housing. Reasonable preference must be given to defined groups as per section 167(2) of the 1996 Act and accordingly no policy can disregard this as it would be open to challenge.

However, section 167(2E) and section 167(3) enable local authorities to let properties to people of a particular description where there is a clear need for this approach. Given the lack of affordable housing in some more rural parts of this district the council wishes to clearly define under what circumstances restrictions would apply. This rural lettings policy identifies those parishes where it will apply for

⁷ That is, affecting 63 parishes rather than 61. More significantly, this wider area means that a further 1,100 rural residents of South Somerset will come under this policy.

⁸ Compiled from housing stock data supplied by all registered social landlords in South Somerset.

any future general needs vacancies within the district (excluding new builds or those subject to relevant section 106 agreements).

In order to ensure that the above obligation is met, this lettings policy has been drawn up with the intention that it will affect no more than 6% of the overall stock, thus retaining 94% of housing stock for all other applicants. It is also noted that being in one of the defined reasonable preference groups and having a local connection are not necessarily mutually exclusive.

Parishes affected by the policy

In the 63 parishes currently affected by this policy (see Appendix 2), there are 518 general needs properties in total, an average of eight per parish. The average stock level per parish is four units in those parishes with 10 or fewer dwellings, and 17 units in those parishes with 11-24 dwellings.

It is appropriate to note that a threshold for this policy based on stock levels is applied rather than applying the policy to all rural parishes in the district, which would potentially account for some 16% of vacancies and may conflict with reasonable preference.

Therefore, the rural lettings policy will currently be applied to a total of 63 parishes, all of which have at least one general needs property⁹.

Rural parishes with 25 or more general needs dwellings have not been included as part of this policy. This is partly because it is assumed that higher stock levels mean greater availability and partly because of the council's obligation to reasonable preference groups (see above).

Defining local connection

The 'doughnut ring' approach

In order to benefit local residents as fairly as possible, we have decided on a three-tiered approach to local connection. As is also often the case in rural exception schemes, the order of preference will be as follows:

- to those with a proven local connection to the parish in question;
- to those with a proven connection to the 'doughnut ring' (of immediately adjacent¹⁰ rural parishes);
- to anybody with a connection to the district.

This method prioritises applicants with a local connection to the parish but also recognises those applicants who, through proximity, have a connection to that part of South Somerset. It also protects the landlord from having an empty property at a time when a vacancy arises but nobody with a local connection to that village is currently eligible for a property of that size or type.

⁹ There are currently 15 parishes in South Somerset with zero general needs housing stock.

¹⁰ An adjacent civil parish is one which shares a boundary with (ie is contiguous to) the target parish. The term 'doughnut ring' is used to reflect the (approximately) circular shape created on a map when looking at all the adjacent parishes to the target parish.

Please note also that the logic of the ‘doughnut ring’ of immediately adjacent parishes is to include all adjacent rural parishes, even if they are in a different district.

In the event that the above local connection filter does not provide a successful applicant, normal Homefinder Somerset lettings rules will apply.

Examples

Example 1:

Every other vacancy in the parish of Aller (current stock: 15) would be advertised as being subject to this policy. Priority would be given initially to those applicants with a local connection to the civil parish of Aller. If nobody with such a connection expressed an interest in the property, preference would then be to those applicants with a local connection to an adjacent rural parish. In this case, the ‘doughnut ring’ includes:

- High Ham (in South Somerset);
- Curry Rivel (in South Somerset);
- Stoke St Gregory (in Taunton Deane);
- Burrowbridge (in Taunton Deane);
- Othery (in Sedgemoor);
- Greinton (in Sedgemoor);
- Ashcott (in Sedgemoor).

Despite the immediate proximity of Langport and Huish Episcopi, a local connection to these parishes would not give priority to an applicant due to their combined population, which exceeds 3,000.

Example 2:

Every vacancy in the parish of Lopen (current stock: 7) would be advertised as being subject to South Somerset’s Rural Lettings Policy. If there are no applicants with a primary connection (to Lopen itself), priority would go to those with a connection to:

- Seavington St Mary;
- Seavington St Michael;
- Merriott;
- Hinton St George.

South Petherton, due to its population, would be excluded from the ‘doughnut ring’.

Example 3:

Every vacancy in Bab Cary (current stock: 2) would go initially to those with a local connection to Bab Cary. If no one applied, then it would go to those with a local connection to:

- Lovington (in South Somerset);
- North Barrow (in South Somerset);
- South Barrow (in South Somerset);
- Queen Camel (in South Somerset);
- West Camel (in South Somerset);
- Charlton Mackrell (in South Somerset);
- Keinton Mandeville (in South Somerset);
- Lydford-on-Fosse (in Mendip).

Definition – Homefinder Somerset

The eligibility criteria for an applicant to satisfy local connection in order to be considered for properties covered by this policy is set out clearly within the Homefinder Somerset policy¹¹. For the purposes of this policy those criteria will be applied to parish level. Partner registered providers have mutually agreed that these criteria will be the means by which they determine priorities for any future vacancies covered by this policy.

The main or joint applicants:

- are normally resident in the relevant parish. Local Government Association guidelines define this as having resided in the relevant area for 6 of the last 12 months, or 3 out of the last 5 years, where residence has been out of choice.
- have work in the relevant parish. The Local Government Association guidelines define this as employment other than of a casual nature. For the purposes of this policy this will be defined as having had permanent work with a minimum of a 16 hour contract per week for the previous 6 months, and without a break in the period of employment for more than 3 months.
- need to move to take up an offer of permanent employment (over 16 hours – evidence will be required) within the relevant parish and commuting from their existing home would be unreasonable.
- have family connections in the relevant parish. The Local Government Association guidelines define this as immediate family members (parents, siblings and non-dependent children) who have themselves lived in the area for 5 years and with whom there has been frequent contact, commitment or dependency.
- can demonstrate a need to move to the relevant parish to give or receive essential and critical medical or other support where significant harm would result if this was not provided.

Advertising and reletting

All properties owned by Homefinder Somerset partner registered providers advertise all their vacancies via Homefinder Somerset. Any property which becomes vacant and is subsequently advertised via Homefinder Somerset, and which qualifies for reletting under the rural lettings policy, will be labelled as such to clearly identify this to applicants.

Once a shortlist of applicants has been created, it remains the responsibility of the registered provider to verify the applicant's local connection to the parish and their eligibility to be allocated the property.

Whilst local connection takes precedence, the applicant must have a need for the property (in terms of size and type) as defined by Homefinder Somerset's policy. For example a single person with a local connection to the primary parish, but with a one bedroom need, would not be considered for a 3 bedroom property. The successful applicant would be the household who had both a local connection and the highest need for the property.

¹¹ Homefinder Somerset Common Lettings Policy section 22.4

In the rare circumstances where there are no applicants for a vacancy with a proven local connection under this rural lettings policy, the registered provider reserves the right to readvertise or let the property to any other applicant – but this must be done in line with the Homefinder Somerset policy.

Shared ownership and low-cost home ownership

These properties are not currently dealt with via Homefinder Somerset and accordingly will not be subject to the rural lettings policy.

Monitoring of the policy

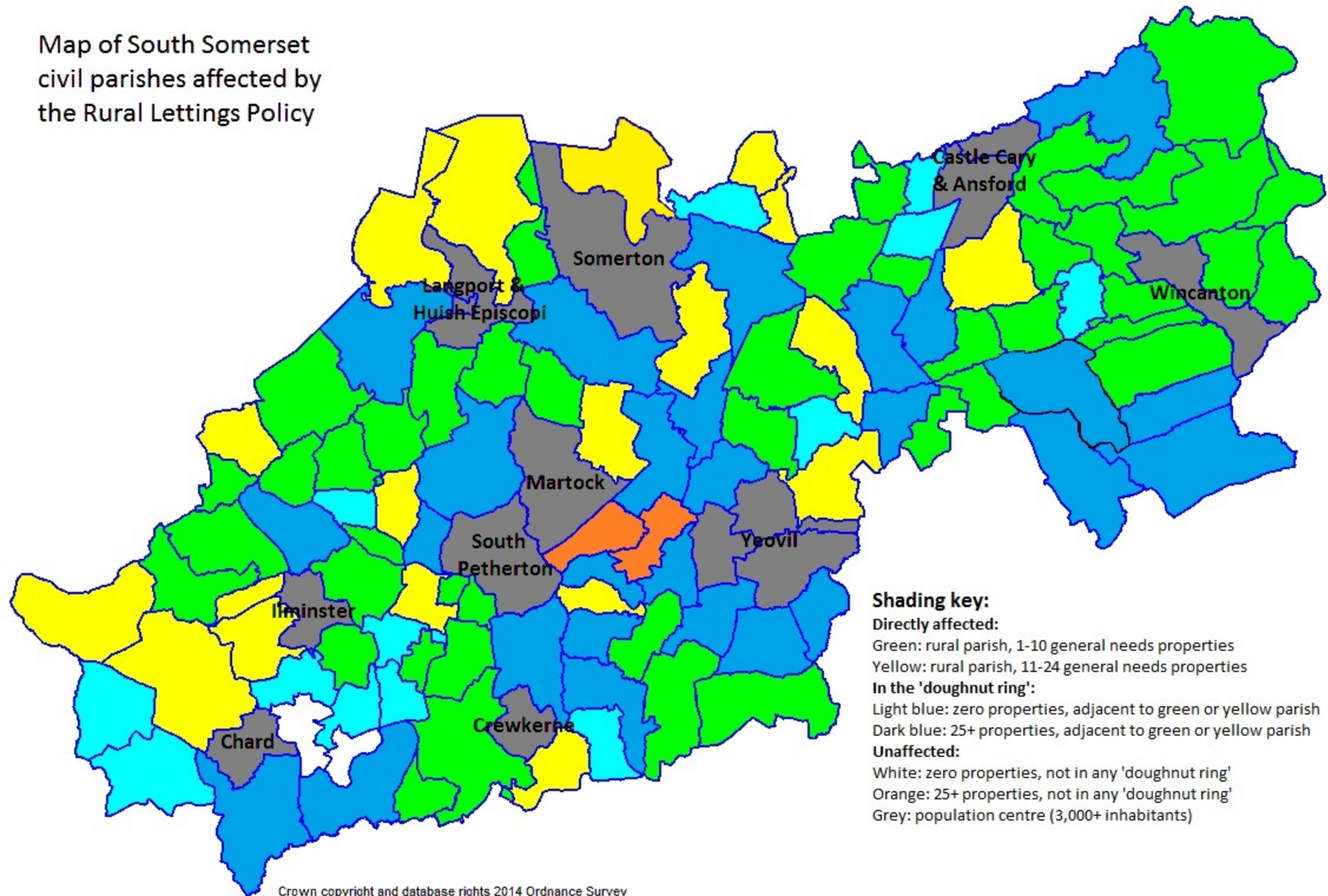
Homefinder Somerset is monitored via the county-wide Homefinder Somerset monitoring board. Any impact this policy has on trends will be monitored where appropriate by this board.

Review

The impact of this policy will be reviewed by the council's scrutiny committee three years after implementation.

It is not anticipated that any further reviews will be required. This policy will apply to the accommodation (which has no section 106 agreement in place) within the defined parishes in accordance with the policy's criteria. However, the list of affected parishes may alter as and when stock levels change and, thus, Appendix 2 is subject to change. It is anticipated that the council's Strategic Housing Unit will review relevant stock levels at least annually.

Map of South Somerset
civil parishes affected by
the Rural Lettings Policy



Appendix 2 – list of parishes by general needs stock level as of 01/06/17

Listed in order of stock level, lowest to highest; colour coding as per Appendix 1.

Parish	Population ¹	Sheltered / Supported Stock ²	General Needs Stock
Alford	88	0	0
Chaffcombe	229	0	0
Chillington	164	0	0
Chilton Cantelo	445	0	0
Cricket St Thomas	64	0	0
Cudworth	49	0	0
Kingstone	103	0	0
Kingweston	75	0	0
Knowle St Giles	244	0	0
Maperton	140	0	0
North Barrow	233	0	0
North Perrott	246	0	0
Puckington	117	0	0
Wambrook	184	0	0
Whitestaunton	256	0	0
Bratton Seymour	104	0	1
Closworth	220	0	1
Corton Denham	189	0	1
Dinnington	61	0	1
Stoke Trister	313	0	1
Yarlington	123	0	1
Compton Pauncefoot	139	0	1
Pitney	374	0	1
Ashill	529	0	2
Babcary	248	0	2
Hinton St George	442	0	2
Holton	238	0	2
Muchelney	195	0	2
Shepton Montague	208	0	2
Seavington St Michael	127	0	2
Stocklinch	154	0	3
Hardington Mandeville	585	0	3
Hinton St George	442	0	3
Whitelackington	209	0	3
Yeovilton	1,226	0	3
Broadway	740	1	3

¹ Taken from 2011 Census. Source: <http://www.somersetintelligence.org.uk/census-datasets/>
Population figures in bold/italic are, due to lack of 2011 Census data, from Office for National Statistics' mid-2010 parish population estimates

² For information only; this stock is not included for the purposes of this policy.

Parish	Population	Sheltered / Supported Stock	General Needs Stock
Rimpton	235	0	3
Brewham	441	0	4
Isle Brewers	150	0	4
Charlton Musgrove	398	0	4
Wayford	115	0	4
Beercrocombe	134	0	5
East Chinnock	479	0	5
Isle Abbots	205	0	5
South Barrow	162	0	5
Pitcombe	532	0	5
West Crewkerne	631	0	5
Hambridge And Westport	514	0	6
Lovington	141	0	6
North Cheriton	208	0	7
Drayton	379	0	7
Lopen	260	0	7
Cucklington	173	0	8
Dowlish Wake	277	0	8
South Cadbury	284	0	8
Long Load	332	0	9
Horsington	571	0	9
Limington	203	0	9
Penselwood	273	0	9
Fivehead	609	21	10
Buckland St Mary	521	0	11
Keinton Mandeville	1,068	0	11
Chiselborough	275	0	12
North Cadbury	950	0	13
Aller	410	0	14
High Ham	909	0	15
Kingsdon	303	0	16
West Camel	459	0	17
Curry Mallet	306	0	17
Misterton	826	20	18
Seavington St Mary	384	0	18
Combe St Nicholas	1,373	40	18
Donyatt	347	0	19
Ash	626	0	19
Barton St David	561	0	19
Barrington	438	0	20
Horton	812	35	24
Mudford	696	32	24
Compton Dundon	705	0	24
Charlton Horethorne	591	0	26

Parish	Population	Sheltered / Supported Stock	General Needs Stock
Long Sutton	833	0	26
Shepton Beauchamp	728	17	28
Marston Magna	523	0	30
Winsham	748	32	33
West Chinnock	592	0	35
Chilthorne Domer	574	0	35
Queen Camel	908	28	37
Norton Sub Hamdon	743	0	38
Sparkford	617	0	43
Charlton Mackrell	1,073	0	43
Kingsbury Episcopi	1,307	0	45
East Coker	1,667	0	46
Norton Sub Hamdon	743	0	46
Tintinhull	902	32	46
Ilchester	2,153	27	48
Odcombe	759	0	50
Haselbury Plucknett	744	0	52
Ansford	1,085	0	60
Ilton	854	0	67
Montacute	831	1	67
Tatworth And Forton	2,660	32	67
West Coker	2,018	30	79
Merriott	1,979	41	82
Langport	1,081	30	95
Abbas And Templecombe	1,560	13	100
Curry Rivel	2,148	34	103
Huish Episcopi	2,095	6	103
Barwick	1,221	42	107
Stoke Sub Hamdon	1,968	36	113
Langport	1,081	30	119
Castle Cary	2,276	91	120
Milborne Port	2,802	27	133
Brympton	7,308	33	136
Henstridge	1,814	7	141
Bruton	2,907	31	141
Somerton	4,697	72	199
South Petherton	3,367	23	244
Martock	4,766	23	274
Ilminster	5,808	94	300
Yeovil Without	6,834	0	334
Wincanton	5,272	92	372
Crewkerne	7,000	118	374
Chard	13,074	161	1,200
Yeovil	30,378	506	2,719



More information is available from:

Strategic Housing

✉ Brympton Way, Yeovil, BA20 2HT

🌐 www.southsomerset.gov.uk

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