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Dear Parish Councillor/Clerk

Please find attached a draft copy of the proposed Rural Lettings Policy for South Somerset. As you may remember, this was put forward as an action in the Housing Strategy Implementation Plan, which underwent consultation last year and has since been approved by the district council.

In essence, the Rural Lettings Policy is designed to protect rural social housing vacancies for applicants who have a local connection to the parish in question (or to its immediate surroundings – see below). This policy will apply to every vacancy in rural parishes with 1-10 such properties, and to every second vacancy in parishes with 11-24 properties.

There are, of course, a number of rural parishes with no general needs stock (and indeed many with more than 24) but most of these will also be affected by the policy - indirectly - by virtue of the 'doughnut ring'; that is, when a vacancy affected by the policy arises, if there are no applicants with a local connection to the parish, preference will then go to applicants with a local connection to any adjacent rural parish – its 'doughnut ring'. Please see pages 5 and 6 for more details of this approach, including examples.

Parishes affected by the policy are colour-coded in the appendices as follows:

- **green** for 1-10 properties (all vacancies affected);
- **yellow** for 11-24 properties (50% of vacancies affected);
- **blue** for parishes not directly affected but which lie in the 'doughnut ring' of another parish;
- **grey** for population centres (>3,000 inhabitants and therefore not affected by the policy);
- **white** for parishes not affected by the policy.

We would be most grateful for your thoughts on the policy document in its current form and welcome any comments at your earliest convenience and in any case no later than midday on 12 March 2015.

Please feel free to contact me or a member of my team by email or phone with feedback or questions.

Yours faithfully

Paul Herbert

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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 and further discussion with councillors, the council committed to developing such a policy along the lines suggested in the draft strategy document.

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

[short paragraph to be included here – who developed/approved the policy and when; consultation period; final agreement etc]

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.

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."

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, 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/>

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: initially to those with a proven local connection to the target village; then to those with a proven connection to the 'doughnut ring' (of immediately adjacent parishes); and finally 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 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.

Under the Homefinder choice-based lettings scheme, applicants can express an interest in available properties by placing bids during the 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

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.

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 policy⁷, 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 60 parishes and represent 5.4% 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 2.8%).

2. Tiered approach:

This option includes all vacancies arising where there are 10 general needs dwellings or fewer (which would currently cover 43 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 5.9% of general needs stock (again, current analysis suggests around 1.9% 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 village level.

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 area⁸ than

⁷ Mendip District Council, Rural Lettings Policy, July 2012, <http://www.mendip.gov.uk/CHttpHandler.ashx?id=3587&p=0>, pages 3-4

⁸ That is, affecting 62 parishes rather than 60. More significantly, this wider area means that a further 1,100 rural residents of South Somerset will come under this policy.

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 10,899⁹ social housing properties, of which 8,808 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 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.

⁹ Compiled from housing stock data supplied by all registered social landlords in South Somerset.

Parishes affected by the policy

In the 62 parishes currently affected by option two (see Appendix 2), there are 515 general needs properties in total, an average of eight per parish. The average stock level per parish is five 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 17% of vacancies and may conflict with reasonable preference.

Therefore, the rural lettings policy will currently be applied to a total of 62 parishes, all of which have at least one general needs property¹⁰.

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 adjacent¹¹ 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.

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.

Examples

Example 1:

Every other vacancy in the parish of Aller (current stock: 16) would be advertised as being subject to South Somerset's Rural Lettings Policy. Priority would be given initially to those applicants with a local connection to the civil parish of Aller. If

¹⁰ There are currently 16 parishes in South Somerset with zero general needs housing stock.

¹¹ 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.

nobody with such a connection bid for 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 and Curry Rivel (in South Somerset); Stoke St Gregory and Burrowbridge (in Taunton Deane); and Othery, Greinton and 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 size (see footnote 1).

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 applicants with a connection to Seavington St Mary, Seavington St Michael, Merriott or Hinton St George. South Petherton, due to its population, would be excluded from the 'doughnut ring'.

Example 3:

Every vacancy in Babcary (current stock: 2) would go initially to those with a local connection to Babcary. If none applied, then it would go to those with a local connection to the South Somerset parishes of Lovington, North Barrow, South Barrow, Queen Camel, West Camel, Charlton Mackrell and Keinton Mandeville, as well as the Mendip parish of Lydford-on-Fosse.

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 policy¹².

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.

As such there is no requirement for a separate policy in relation to determining an applicant's local connection eligibility for future vacant properties allocated via this rural lettings policy.

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 prospective bidders.

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

¹² Homefinder Somerset Common Lettings Policy section 22.4

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.

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.

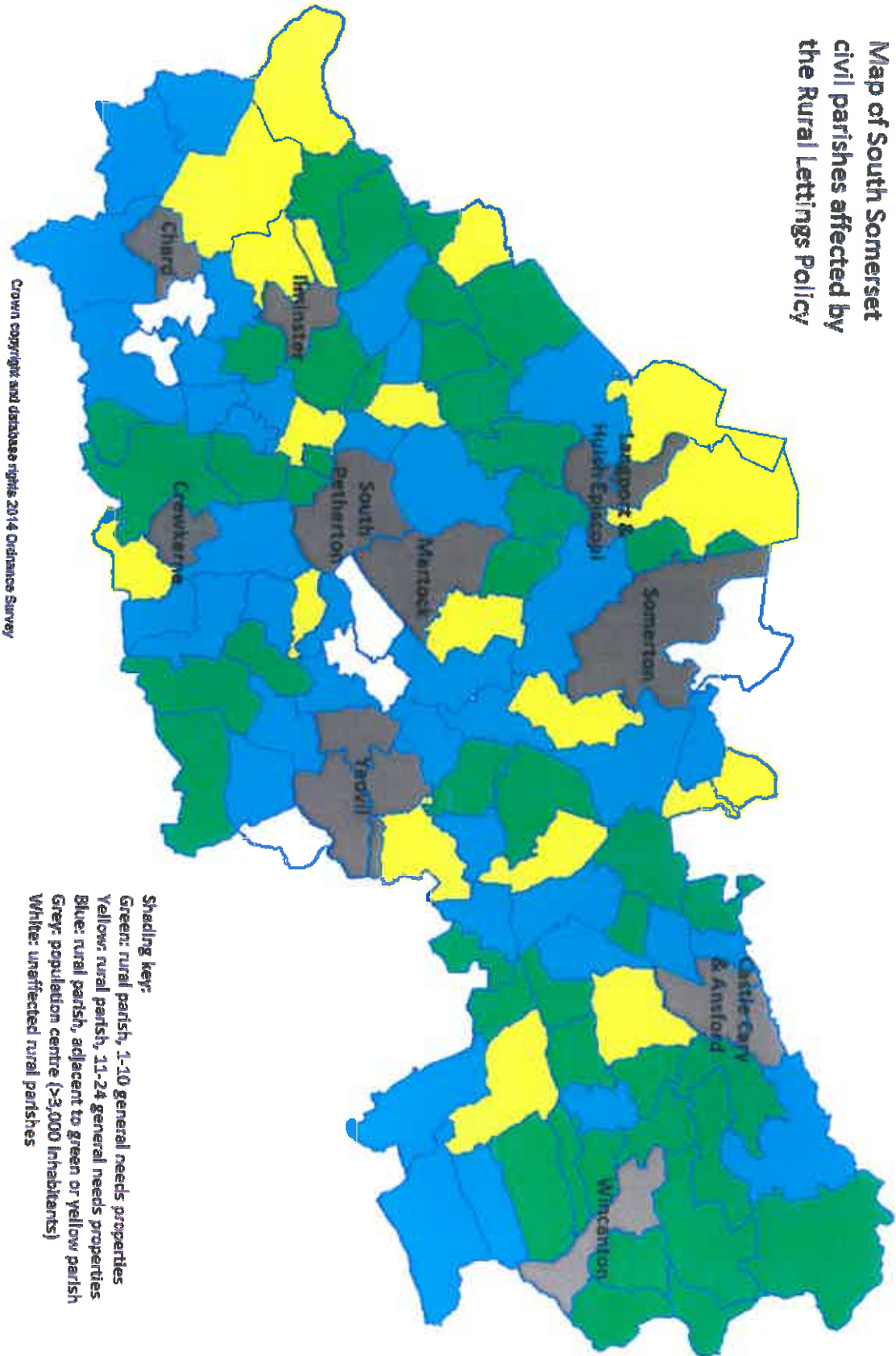
Review

The impact of this policy will be reviewed by the council's scrutiny board 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.

Appendix 1 – map of parishes affected by the policy

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



Appendix 2 – list of parishes by general needs stock level [provisional list]

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

Parish	Population ¹³	General Needs Stock
Alford	86	0
Chaffcombe	229	0
Chillington	164	0
Chilton Cantelo	445	0
Cricket St Thomas	64	0
Cudworth	49	0
Dinnington	61	0
Kingstone	103	0
Kingweston	75	0
Knowle St Giles	244	0
Maperton	140	0
North Barrow	233	0
North Perrott	246	0
Puckington	117	0
Wambrook	184	0
Whitestaunton	256	0
Bratton Seymour	104	1
Closworth	220	1
Corton Denham	189	1
Stoke Trister	313	1
Yarlington	123	1
Ashill	529	2
Babcary	248	2
Compton Pauncefoot	139	2
Holton	238	2
Muchelney	195	2
Pitney	374	2
Seavington St Michael	127	2
Hardington Mandeville	585	3
Hinton St George	442	3
Whiteacington	209	3
Yeovilton	1,226	3
Brewham	441	4
Broadway	740	4
Charlton Musgrove	398	4

¹³ Taken from the 2011 Census. Source: Somerset Intelligence,

<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.

Parish	Population	General Needs Stock
Isle Brewers	150	4
Shepton Montague	208	4
Stocklinch	154	4
Wayford	115	4
Beercrocombe	134	5
East Chinnock	479	5
Isle Abbots	205	5
Pitcombe	532	5
Rimpton	235	5
South Barrow	162	5
Hambridge And Westport	514	6
Horsington	571	6
Lovington	141	6
West Crewkerne	631	6
Dowlish Wake	277	7
Drayton	379	7
Lopen	260	7
Cucklington	173	8
Long Load	332	8
North Cheriton	208	8
South Cadbury	284	8
Limington	203	9
Penselwood	273	9
Fivehead	609	10
Buckland St Mary	521	11
Keinton Mandeville	1,068	11
Chiselborough	275	12
Donyatt	347	14
High Ham	909	15
North Cadbury	950	15
Aller	410	16
Kingsdon	303	16
West Camel	459	16
Ash	626	17
Seavington St Mary	384	18
Combe St Nicholas	1,373	19
Curry Mallet	306	19
Horton	812	19
Misterton	826	19
Barton St David	561	20
Chariton Horethorne	591	20
Barrington	438	21
Mudford	696	23

Parish	Population	General Needs Stock
Compton Dundon	705	25
Shepton Beauchamp	728	28
Sparkford	617	29
Long Sutton	833	31
Marston Magna	523	31
Winsham	748	32
Chilthorne Domer	574	35
Queen Camel	908	37
West Chinnock	592	37
Norton Sub Hamdon	743	38
Charlton Mackrell	1,073	43
Kingsbury Episcopi	1,307	46
Tintinhull	902	46
East Coker	1,667	47
Odcombe	759	50
Ilchester	2,153	51
Brympton	7,308	53
Haselbury Plucknett	744	53
Ansford	1,085	55
Ilton	854	65
Montacute	831	69
Tatworth And Porton	2,660	70
West Coker	2,018	74
Merriott	1,979	83
Huish Episcopi	2,095	85
Curry Rivel	2,148	95
Abbas And Templecombe	1,560	101
Barwick	1,221	107
Langport	1,081	112
Stoke Sub Hamdon	1,968	118
Milborne Port	2,802	122
Castle Cary	2,276	126
Henstridge	1,814	130
Bruton	2,907	144
Somerton	4,697	203
South Petherton	3,367	243
Yeovil Without	6,834	247
Martock	4,766	282
Ilminster	5,808	320
Wincanton	5,272	333
Crewkerne	7,000	375
Chard	13,074	1,149
Yeovil	30,378	2,873



More information is available from:

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