

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	1858
Author:	Leon McLean
Department:	Development
Contact:	Leon McLean (Job Title: Partnership Officer, Email: leon.mclean@nottinghamcity.gov.uk, Phone: 01158765055)
Subject:	Redesignation of Carnforth Court, Bestwood Park
Total Value:	£13,300 (Type: Revenue)
Decision Being Taken:	<ol style="list-style-type: none">1) To redesignate Carnforth Court from an Independent Living Scheme to general needs housing restricted to those aged 50 and over2) Empty properties to be let via Nottingham HomeLink with an additional criteria of "applicants with a risk or previous history of ASB will not be considered"3) To offer the 19 current tenants the opportunity to move to either another Independent Living Scheme in the city, or the opportunity to move to another property within Carnforth Court where mobility or other specific needs denote a requirement (subject to adequate supply)4) That expenditure of up to a maximum of £13,300 is authorised from the Housing Revenue Account to fund removal fees of up to £700 per tenant as required5) To cease housing related support (independent living visiting service) for new tenants

Reasons for the Decision(s)

Carnforth Court is an Independent Living Scheme (ILS) consisting of 26 one bedroom flats and one three bedroomed flat. Of the 27 properties, 8 homes are currently void and some have been void since 2011. The flats have been advertised on numerous occasions via Nottingham HomeLink, however little interest has been shown in the scheme.

A review of Independent Living Schemes undertaken across the city in 2008-9 detailed Carnforth Court as being in an isolated location on a fairly steep hill away from local amenities. There is a bus route nearby, but this is only a link service, which has a limited service and coverage.

The scheme has a communal room and no changes to the communal area are planned at this moment.

In accordance with section 105 of the Housing Act 1985, a sensitive approach was taken to discussing the redesignation of the scheme. Informal meetings were held with residents, also giving time to consider the implications of the changes and raise questions prior to the formal consultation phase.

Section 105 notices were issued and follow-up meetings were held to enable tenants to ask further questions. Some of the main points raised included: allowing tenants to move within the scheme and that tenants wanted the scheme to continue to remain ASB free.

It was agreed that for tenants wanting to move, a maximum contribution of £700 would be paid to assist with removal fees for each tenant who chooses to relocate. Allocations for those wanting to move would be managed via Nottingham HomeLink or via direct offers. This includes moves for those internally within the block or to another area of the city, subject to availability.

Those tenants wanting to move would be supported by specialist relocation support officers, who will work with tenants individually.

Impact for existing tenants:

- Continued receipt of independent Living services including the alarm scheme**
- Retain laundry service**
- Retain common room**
- Ability to move if so desired within the first year of the implementation of this decision**

Impact for new tenants:

- Made clear that this is now general needs and not an Independent Living Scheme**
- Local lettings policy with allocations to those aged 50 and over with no history of ASB**
- Local letting policy to be reviewed on an annual basis**
- Tenants would not receive the Independent Living visiting service**
- Access to an alarm service is available if applicants meet the criteria**
- Ability to use the laundry and communal room**

Other Options Considered:

Not redesignating Carnforth Court: This would lead to continuous long term voids and a loss of income to the Council. It would also burden the Council in keeping unpopular accommodation void, rather than using existing stock to its best use. For these reasons, this option was rejected.

Background Papers:

None.

Published Works:	None.
Affected Wards:	Bestwood
Colleague / Councillor Interests:	None.
Consultations:	<p>Date: 17/09/2014</p> <p>Ward Councillors: Brian Grocock</p> <p>Councillor Grocock, Wildgust and Smith have no objection to this decision</p>
	<p>Date: 18/09/2014</p> <p>Other City Council Bodies:Councillor Liverside (Portfolio Holder for Community Safety, Housing and Voluntary Sector)</p> <p>Councillor Liverside has no objection to the decision</p>
	<p>Date: 08/01/2015</p> <p>Other:Paul Stanley, Void Property Manager, Nottingham City Homes.</p> <p>The change of use provides more citizens the opportunity to qualify for one bedroomed accommodation, thus aiding the letting of properties and providing additional single person accommodation. This redesignation can also positively assist those affected by the Councils decommissioning programme.</p>
	Those not consulted are not directly affected by the decision.
Crime and Disorder Implications:	No crime and disorder implications have been identified. Tenancies will not be accepted from individuals with a history of anti-social behaviour.
Equality:	Please login to the system to view the EIA document: EIA Carnforth Court.doc
Decision Type:	Portfolio Holder
Subject to Call In:	Yes
Call In Expiry date:	03/03/2015
Advice Sought:	Legal, Finance, Equality and Diversity

Legal Advice:

The Council has undertaken the statutory consultation required by virtue of s105 Housing Act 1985 and has taken into account matters raised within that consultation.

It is noted that provision is made for existing tenants to transfer to alternative accommodation either within Carnforth Court or away from it should they choose to do so. Sections 159(4A) and (4B) of the Housing Act 1996 will apply to these transfers. These sections, taken together, provide that Part 6 Housing Act 1996 does not apply to an allocation of accommodation by a housing authority to a tenant of a local authority unless the allocation involves a transfer made at the tenant's request, and the authority is satisfied that the tenant has reasonable preference. Therefore tenants applying for a transfer who are considered to have reasonable preference must be treated on the same basis as new applicants in accordance with the requirements of s.166A(3) Housing Act 1996 and therefore their applications must be dealt with via the Council's allocations policy. Transfers for tenants who are not in a reasonable preference category are not allocations for the purposes of Part 6.

The conversion to a general needs scheme from an Independent Living Scheme will mean that the exemption under the Right to Buy Scheme will no longer apply and tenants will be able to exercise that right once they are qualified to do so under that scheme. For existing tenants, the time they have already been tenants will be taken in to account in calculating discount.

Advice provided by Roseann Kane (Senior Solicitor) on 28/01/2015.

Finance Advice:

This Independent Living Scheme has a significant numbers of unoccupied flats (30%) which are difficult to let. The proposal aims to increase the number of occupied flats and so increase the rental income to the Housing Revenue Account. Existing tenants of the scheme are being offered £700 to pay for removal costs should they choose to move to another scheme (19 tenants x £700 = £13,300). Reducing the number of unoccupied flats by half would payback the maximum cost within one year.

Advice provided by Julie Dorrington (Finance Analyst (Housing)) on 16/01/2015.

Equality and Diversity Advice:

The proposal offers an opportunity to enable an accessible lettings process, however, it is vital that BME communities, particularly Black communities are specifically targetted to apply and that any activity is effectively monitored and where obstacles are found, remedial action is swiftly taken.

Advice provided by Adisa Djan (Equalities and Diversity Consultant) on 03/02/2015.

Signatures

Dave Liversidge (PH Community Safety, Housing and Voluntary Sector)
SIGNED and Dated: 24/02/2015
David Bishop (Deputy CE, CD for Development and Growth)
SIGNED and Dated: 20/02/2015

What is being assessed:

The re-designation of Carnforth Court from Independent Living to General Needs for over 50s, with broader age criteria than the current criteria of over 60 or over 55 and in receipt of Disability Living Allowance or Personal Independence Payments .

Carnforth Court is situated in the Bestwood Park area and consists of 26 one bed flats, a 3 bed flat, a common room and laundry area. There is an over supply of Independent Living Accommodation in the Bestwood Ward resulting in high locality voids, with the complex being close to a number of other Independent Living schemes.

Information we are using to analyse the effects on equality:

There are currently eight empty flats at the complex which have proved difficult to let. One of the properties has been empty since 2011 and the properties have previously been advertised through Homelink without attracting bidders.

An informal consultation meeting took place on 13 October 2014 which was attended by 13 tenants. Formal Section 105 Consultation has been undertaken, including another meeting with tenants on 26 November 2014 at which 8 tenants were in attendance. Feedback has also been received in writing from 5 tenants.

Local Councillors have been contacted and have raised no concerns over the proposals.

The feedback received in summary was:

- Support for over 50s criteria,
- Not supportive of a lettings criteria allowing under 50s as worried about noise, anti social behaviour, clash of lifestyles, visitors/friends of younger tenants

The 21 current tenants (19 tenancies) at Carnforth Court range in age from 64-94, with 9 aged 60-69, 7 aged 70-79 and 5 over 80. The current tenants have been deemed as having the following dependencies by the Independent Living Service : high 2, medium 5, low 8, and independent 6. Of the current tenants, 11 consider themselves disabled. Of the current tenants, 11 are male, 6 are female and there are two couples at the complex. The ethnicity of the tenants is White British 18, Indian 2 and one refusal.

	Could particularly benefit (X)	May adversely impact (X)	How different groups could be affected - summary of issues identified	Details of actions to increase positive or reduce negative impact (or why action is not possible)
People from different ethnic groups	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	The existing lettings criteria allows for those aged over 60 or over 55 and in receipt of Disability Living Allowance or	The overall Decommissioning programme has been subject to a detailed equality impact assessment.
Men, women (including	<input type="checkbox"/>	<input type="checkbox"/>		

Nottingham City Homes Equality Impact Assessment Form

maternity/pregnancy impact), transgender people			Personal Independence Payment. The current age range is 56-95.	<p>All of the tenants have had their dependency levels assessed by the Independent Living Service to ensure the correct level of support, which will continue.</p> <p>Age criteria set at 50 plus following consultation, to provide a service that is appropriate for the needs of tenants with support needs.</p> <p>Existing tenants to retain Independent Living Service, alarm service, common room and laundry.</p> <p>Existing tenants to be allowed to move within the complex to empty flats subject to supply/demand</p> <p>Assistance from Relocation Support Team to move for one year from the date decision approved if so desired. Help with bidding and financial assistance with removals.</p> <p>New tenants will not get the Independent Living Service, but can access the laundry and communal room and the Alarm Service if they meet the criteria.</p> <p>Criteria to be reviewed as part of annual lettings plan. Nottingham City Homes' Allocations Policy and Independent Living Strategy are subject to overall Equality Impact Assessments; the former will set out broader actions in relation to positive action and the Independent Living service.</p> <p>Using a choice based lettings system, allows citizens to choose where they wish to live in the city. Over 30% of citizens on the waiting list are from the BME community, recent stats also show that over 35% of new lettings were to the BME community accessing social housing.</p>
Disabled people or carers	<input type="checkbox"/>	<input type="checkbox"/>	The suggested new criteria of allocating to over 50s widens access while taking account of the needs of current tenants who have expressed concern regarding reducing the age criteria below 50.	
People from different faith groups	<input type="checkbox"/>	<input type="checkbox"/>		
Lesbian, gay or bisexual people	<input type="checkbox"/>	<input type="checkbox"/>	The new lettings criteria will increase the group of potential applicants eligible to bid for the properties increasing rental income and reducing homelessness which research indicates particularly affects the Black and Minority Ethnic community in the City.	
Older or younger people	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
Other (marriage/civil partnership, looked after children, cohesion/good relations, vulnerable children/adults)	<input type="checkbox"/>	<input type="checkbox"/>		

Outcome(s) of equality impact assessment:

Nottingham City Homes Equality Impact Assessment Form

No major change needed Adjust the policy/proposal/service Adverse impact but continue Stop and remove the policy/proposal

Arrangements for future monitoring of equality impact:

The outcome of the change will be assessed along with other schemes before consideration is given to further re-designations at other complexes. Criteria to be reviewed as part of annual lettings plan.

Approved by (manager signature): Approved by (manager signature): Paul Stanley, Void Property
Manager, 18 December 2014. Telephone - 0115 9152662, E mail – paul.stanley@nottinghamcityhomes.org.uk

Date sent to equality team for publishing:

Dec 2014