

# **Local Lettings Plan: Custom House, Phase 1**

## **1. The need for a Local Lettings Plan**

- 1.1. In July 2022 Cabinet approved the masterplan proposals for Custom House Phase 1, subject to a resident ballot, which was successfully held in December 2022.
- 1.2. The same Cabinet paper delegated authority to the Corporate Director of Inclusive Economy & Housing to approve a local lettings plan that optimises the decant opportunities within Phase 1 and the wider Custom House area in consultation with the Lead member for Inclusive Economy, Housing Delivery and Climate Emergency and Transformation and Performance; alongside the Lead member for Housing Services.
- 1.3. This document aims to deliver on the promises made to residents of the regeneration area in the landlord offer, published in November 2022.
- 1.4. The objective of the LLP is to utilise new build housing development in and adjacent to the Custom House Phase 1 regeneration area to retain existing community ties and free up accommodation that facilitates the regeneration and restoration of Custom House. The primary purpose of the LLP, in accordance with the landlord offer, is to enable residents in the Custom House Phase 1 area to stay in Custom House by way of a single move to a permanent home.

## **2. Application of this policy**

- 2.1. This policy applies to residents in the Custom House Phase 1 area who need to move as a result of the regeneration of the area.
- 2.2. LLP applies to the allocation of new properties in the adjacent William Patton House, 20-22 Freemasons Road, Vandome Close and Leyes Road sites, and all new lets in the Custom House phase1 masterplan area.
- 2.3. This document should be read in conjunction with the LB Newham Allocations Policy for social housing, and the Landlord Offer for Custom House Regeneration Phase 1, published 7<sup>th</sup> November 2022.

## **3. Eligibility**

- 3.1. Residents will qualify for rehousing via this local lettings policy if they are:
  - 3.1.1. A Council tenant living in the Custom House Phase 1 area named as a secure tenant on a tenancy agreement dated on or before 7<sup>th</sup> November 2022.
  - 3.1.2. A previously relocated social tenant (who otherwise meets the eligibility criteria) with a right to return to a new home under the landlord offer. Tenants in this group must have previously lived on the Custom House

Phase One area for at least 12 months, having been moved by the Council for the purpose of regeneration

3.1.3. A homeless household where the Council has accepted a full housing duty under the Housing Act 1996, Part 7 (as amended) and has been placed in temporary accommodation in the Custom House Phase One area. Such households must have been on the Council's housing register and lived in the Custom House Phase 1 area for at least one year prior to 7<sup>th</sup> November 2022, irrespective of their current tenure.

3.2. This local lettings policy will not apply to:

3.2.1. Resident leaseholders or freeholders

3.2.2. Non-resident leaseholders or freeholders

3.2.3. Tenants of a private landlord

#### **4. Priority for new build social homes**

4.1. The prioritisation system for new-build social home lets will generally apply as follows:

Priority 1: Council tenants named as a secure tenant on a tenancy agreement dated on or before 7<sup>th</sup> November 2022, living in the next block(s) due for demolition or decant, prioritised by length of time living in a property in the regeneration area. Where a household has split their tenancy, new households created will have the same level of priority as the primary household.

Priority 2: Households in temporary accommodation (as set out in 3.1.3 above) living in the next block(s) due for demolition (subject to the criteria specified under 3.1.3), prioritised by length of time living in the regeneration area

Priority 3: Council tenants named as a tenant on a tenancy agreement dated on or before 7<sup>th</sup> November 2022 in the subsequent block(s) due for demolition or decant, prioritised by length of time living in a property in the regeneration area

Priority 4: Households in temporary accommodation (as set out in 3.1.3 above) living in the subsequent block(s) due for demolition (subject to the criteria specified under 3.1.3), prioritised by length of time living in the regeneration area

Priority 5: Previously relocated Council secure tenants with a right to return

4.2. Within each priority households will be ordered by length of time they have been resident in the Custom House regeneration area. Within Priority 4, Council tenants will be prioritised by how long they had lived in the Custom House regeneration area prior to relocation.

- 4.3. The Council may depart from this prioritisation order in exceptional circumstances, for example in a situation where evidenced critical medical need may justify higher priority to be given to a tenant within the masterplan area who would otherwise fall under a lower priority banding.
- 4.4. Where new homes are designed to be accessible for people with a disability, such homes will be ring fenced for those residents who require an accessible property. Where there are surplus accessible homes after allocation to eligible residents, the homes will be allocated to applicants requiring accessible accommodation on the Housing Register.
- 4.5. Council tenants and eligible residents in temporary accommodation in the Custom House phase 1 regeneration area who prefer to move to a social property outside of the regeneration area will be supported to do so on a case-by-case basis.

## **5. Other considerations**

- 5.1. Household members are those that have been living in the property continuously since before 7th November 2021, one year prior to the date of publication of the landlord offer. There are some exceptions to this, including:
  - 5.1.1. People who cannot fulfil the above criteria because they were living away from home as full-time students; serving in the armed forces; in hospital; or residential care home, but have since returned to live at the family home
  - 5.1.2. Children of Council or temporary accommodation tenants born after 7th November 2022 who normally live in your property
- 5.2. The individual circumstances of each case will be taken into account.
- 5.3. Households who are secure council tenants who have lived in the Custom House regeneration area since before 7<sup>th</sup> November 2021 are eligible to split their tenancy if their household includes adult children who have been resident since before 7<sup>th</sup> November 2021. This option would create a new and separate tenancy for the adult child(ren).
- 5.4. Eligible households can split their tenancy only once, creating a maximum of two households. Once split, the new households will not be eligible for further splitting. The total number of bedrooms across both properties must not exceed what they would be offered in a new property if they remained living together in a single property. The decision whether and how to split the tenancy rests with the current tenant not the adult children.
- 5.5. New households created through splitting an existing tenancy will not be guaranteed a property in the Custom House regeneration area or adjacent sites, and those that do secure a property in the Custom House regeneration area will be offered London Affordable Rent rather than the same rent levels paid by the original household. This option will not be available to households

currently in temporary accommodation in the regeneration area or social renters with a right to return.

- 5.6. Social tenants who have been living in the regeneration area since before 7<sup>th</sup> November 2021 and those with a right to return will pay the same basic (net) rent for the same number of bedrooms as they do in their current property. Annual rent levels will change in line with council policy. Households who have been in temporary accommodation in the regeneration area since before 7<sup>th</sup> November 2021 will pay London Affordable Rent, a genuinely affordable rent where maximum rents are set by the Mayor of London.
- 5.7. Social tenants living in the regeneration area and social tenants with a right to return will have the right to a new property with the same number of bedrooms as in their current home, unless they are currently overcrowded in which case they will be offered a property that meets their bedroom need. Both groups will also have the option to downsize to a property with fewer bedrooms if they currently have more bedrooms than they need. Households who choose to downsize will qualify for a one-off payment of £1,000 per bedroom reduction. For example, a household that chooses to downsize from their current three-bedroom property to a one-bedroom new property would be eligible for a £2,000 one-off payment. Households in temporary accommodation will have the right to a home with the number of bedrooms which match their need.
- 5.8. The succession rights of households either living in the regeneration area or with a right to return will not be affected by the move to the new property.
- 5.9. Eligible households with a secure tenancy will be made no more than two offers of suitable properties. Eligible households with non-secure tenancies will be made one offer.

## **6. Mitigations and use of discretion**

- 6.1. The Council retains a discretion to offer available social properties within the LLP to applicants on the Housing Register with significant housing needs, eg applicants with emergency medical priority, urgent decants or households in temporary accommodation before any qualifying resident under the LLP.
- 6.2. Following implementation, the scheme will be reviewed on a block by block basis to monitor the effect of the LLP.