

South Somerset District Council

Rural Lettings Framework

Aims & objectives

This Framework 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 framework 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.

Our objective is to make effective use of South Somerset's housing stock, and the rural lettings framework forms part of this.

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.

The Homefinder Somerset Common Lettings Policy section 29.13 (Local Lettings Policies) refers specifically to restricting applicants' eligibility to apply for specific properties unless they have a local connection to that particular area:

"A property may be labelled in accordance with an agreed local lettings policy which may include rural exception sites and some new build sites which may be restricted to local residents through section 106 planning agreements."

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.

The rural lettings framework 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 framework is designed to further compliment 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

¹ For the purpose of this document 'rural' means a Rural Centre or Rural Settlement as defined in the adopted Local Plan and other small villages and hamlets within the wider countryside;

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 framework

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

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 schemes⁴ 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 apply⁵. Usually the logic of the 'doughnut ring' of immediately adjacent parishes is to include all adjacent rural parishes 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 also applies to this framework (see 'defining local connection').

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.

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 framework 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 framework 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.

⁴ Rural exception schemes were sites where planning approval has been gained outside of the existing development area for exceptional reasons. In order to build outside of the development area it was necessary to prove that a housing need existed locally, and that no opportunity existed within the development area to meet that need

⁵ That is, the vacancy will be let to the household with the highest banding and, if in the same banding, the longest effective date.

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 document⁶. In South Somerset we have followed Mendip's example of basing our framework 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 Framework.

1. Single cut-off point:

An analysis of total housing association general needs dwellings in rural parishes suggests that a cut-off point of 20 dwellings (or fewer) would currently encompass 60 parishes and represent 5.20% 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 2.5% annually).

2. Tiered approach:

This option includes all vacancies arising where there are 10 general needs dwellings or fewer (which would currently cover 41 parishes) and every other vacancy where there are 11 or more but fewer than 25 dwellings (which would currently cover a further 22 parishes). This would be equivalent to 5.97% of general needs stock (again, current analysis suggests around 2.5% of vacancies annually).

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, we 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 framework 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 framework 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).

⁶ <http://www.mendip.gov.uk/CHttpHandler.ashx?id=12293&p=0>

⁷ That is, affecting 63 parishes rather than 60. More significantly, this wider area means that a further 1,500 rural residents of South Somerset will come under this policy.

Stock levels

There are 121 parishes in South Somerset over 96,000 hectares with a total of 10,842⁸ social housing properties, of which 8,846 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 framework 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 framework 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 Framework

In the 63 parishes currently affected by this framework (see Appendix 2), there are 528 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 16 units in those parishes with 11-24 dwellings.

It is appropriate to note that a threshold for this framework based on stock levels is applied rather than applying the framework 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 framework 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 framework. 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).

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

⁹ There are currently 16 parishes in South Somerset with zero general needs housing stock.

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 adjacent rural parishes¹⁰);
- 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.

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: 14) would be advertised as being subject to this framework. 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.

Example 2:

Every vacancy in the parish of Lopen (current stock: 7) would be advertised as being subject to South Somerset’s Rural Lettings Framework. 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;

¹⁰ An adjacent civil parish is one which shares a boundary with (i.e. 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.

- 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 framework is set out clearly within the Homefinder Somerset policy¹¹. For the purposes of this framework 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 framework.

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 framework 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.

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<https://www.homefindersomerset.co.uk/Data/Pub/PublicWebsite/ImageLibrary/HFS%20Policy%20Sept%2018%20pdf%20website.pdf>

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 framework, 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.

In the rare circumstances where there are no applicants for a vacancy with a proven local connection under this rural lettings framework, 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 framework.

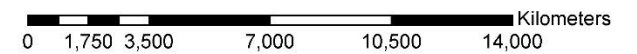
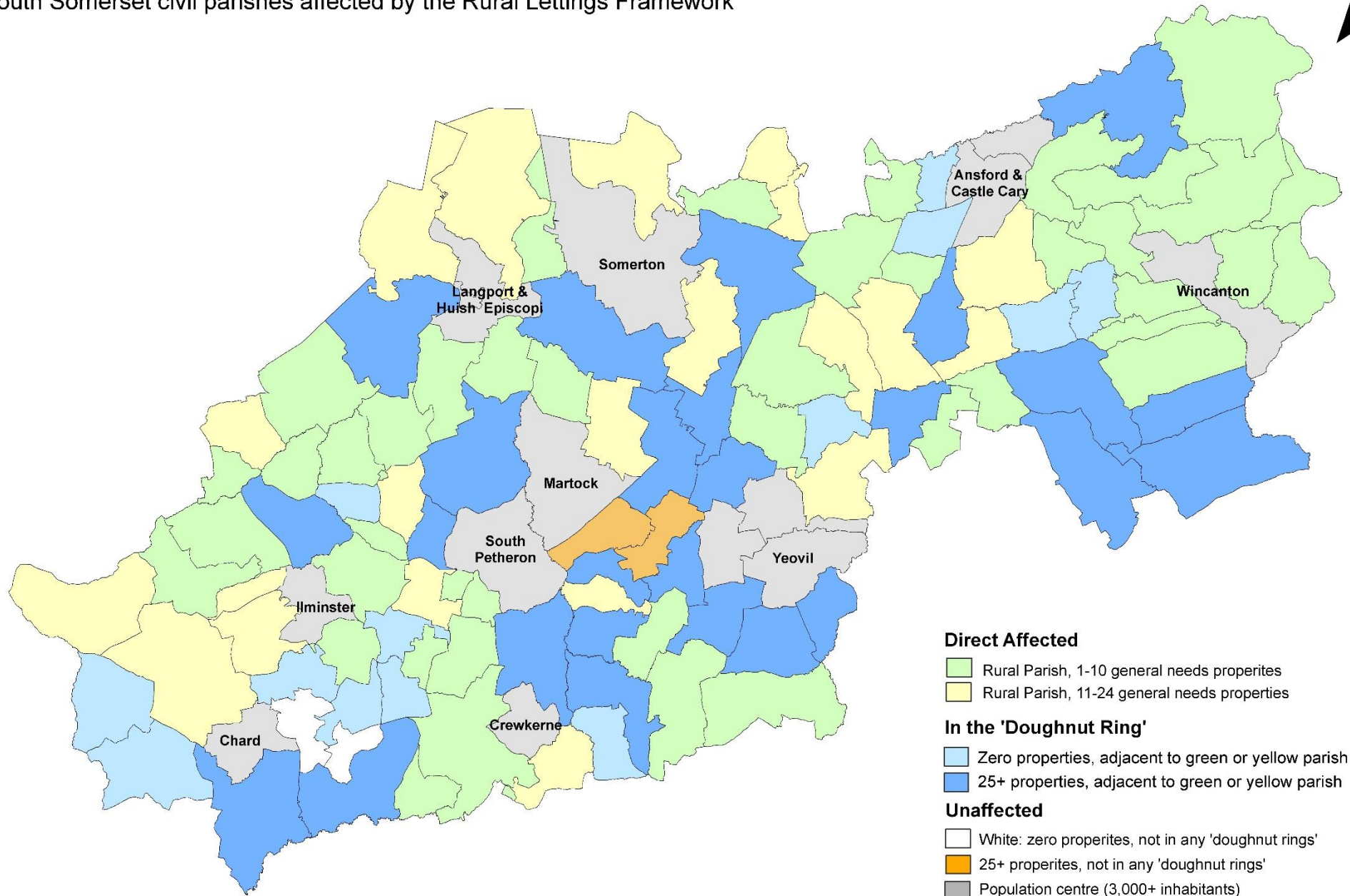
Monitoring of the Framework

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

Review

This framework will apply to the accommodation (which has no section 106 agreement in place) within the defined parishes in accordance with the framework'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 Strategy and Commissioning Team will review relevant stock levels at least annually and amend the table and map in this document accordingly.

South Somerset civil parishes affected by the Rural Lettings Framework



Appendix 2 – list of parishes by general needs stock level as of 22/03/2019

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

| Parish | Population ¹² | Sheltered/ Supported Stock ¹³ | General Needs Stock |
|---------------------------|--------------------------|---|------------------------|
| Alford CP | 88 | 0 | 0 |
| Chaffcombe CP | 229 | 0 | 0 |
| Chillington CP | 164 | 0 | 0 |
| Chilton Cantelo CP | 445 | 0 | 0 |
| Compton Pauncefoot CP | 139 | 0 | 0 |
| Cricket St Thomas CP | 64 | 0 | 0 |
| Cudworth CP | 49 | 0 | 0 |
| Kingstone CP | 103 | 0 | 0 |
| Kingweston CP | 75 | 0 | 0 |
| Knowle St Giles CP | 244 | 0 | 0 |
| Maperton CP | 140 | 0 | 0 |
| North Barrow CP | 233 | 0 | 0 |
| North Perrott CP | 246 | 0 | 0 |
| Puckington CP | 117 | 0 | 0 |
| Wambrook CP | 184 | 0 | 0 |
| Whitestaunton CP | 256 | 0 | 0 |
| Bratton Seymour CP | 104 | 0 | 1 |
| Closworth CP | 220 | 0 | 1 |
| Corton Denham CP | 189 | 0 | 1 |
| Dinnington CP | 61 | 0 | 1 |
| Hinton St. George CP | 442 | 0 | 1 |
| Pitney CP | 374 | 0 | 1 |
| Stoke Trister CP | 313 | 0 | 1 |
| Yarlington CP | 123 | 0 | 1 |
| Ashill CP | 529 | 0 | 2 |
| Babcary CP | 248 | 0 | 2 |
| Holton CP | 238 | 0 | 2 |
| Muchelney CP | 195 | 0 | 2 |
| Seavington St. Michael CP | 127 | 0 | 2 |
| Shepton Montague CP | 208 | 0 | 2 |
| Yeovilton CP | 1,226 | 0 | 2 |
| Charlton Musgrove CP | 398 | 0 | 3 |
| Hardington Mandeville CP | 585 | 0 | 3 |
| Rimpton CP | 235 | 0 | 3 |
| Stocklinch CP | 154 | 0 | 3 |
| Whitelackington CP | 209 | 0 | 3 |
| Brewham CP | 441 | 0 | 4 |

¹² 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

¹³ For information only; this stock is not included for the purposes of this framework

| Parish | Population¹² | Sheltered/ Supported Stock¹³ | General Needs Stock |
|---------------------------|--------------------------------|--|--------------------------------|
| Isle Brewers CP | 150 | 0 | 4 |
| Wayford CP | 115 | 0 | 4 |
| Beercrocombe CP | 134 | 0 | 5 |
| East Chinnock CP | 479 | 0 | 5 |
| Isle Abbots CP | 205 | 0 | 5 |
| Lovington CP | 141 | 0 | 5 |
| Pitcombe CP | 532 | 0 | 5 |
| South Barrow CP | 162 | 0 | 5 |
| West Crewkerne CP | 631 | 0 | 5 |
| Hambridge And Westport CP | 514 | 0 | 6 |
| Cucklington CP | 173 | 0 | 7 |
| Drayton CP | 379 | 0 | 7 |
| Lopen CP | 260 | 0 | 7 |
| North Cheriton CP | 208 | 0 | 7 |
| Long Load CP | 332 | 0 | 7 |
| Broadway CP | 740 | 0 | 8 |
| Dowlish Wake CP | 277 | 0 | 8 |
| Pen Selwood CP | 273 | 0 | 8 |
| Limington CP | 203 | 0 | 9 |
| Fivehead CP | 609 | 21 | 10 |
| Buckland St Mary CP | 521 | 0 | 11 |
| Chiselborough CP | 275 | 0 | 11 |
| Keinton Mandeville CP | 1,068 | 0 | 11 |
| South Cadbury CP | 284 | 0 | 11 |
| Donyatt CP | 347 | 0 | 12 |
| North Cadbury CP | 950 | 0 | 13 |
| Aller CP | 410 | 0 | 14 |
| Horsington CP | 571 | 0 | 14 |
| High Ham CP | 909 | 0 | 15 |
| Kingsdon CP | 303 | 0 | 16 |
| Curry Mallet CP | 306 | 0 | 17 |
| West Camel CP | 459 | 0 | 17 |
| Combe St. Nicholas CP | 1,373 | 40 | 18 |
| Horton CP | 812 | 28 | 18 |
| Misterton CP | 826 | 20 | 18 |
| Seavington St. Mary CP | 384 | 0 | 18 |
| Ash CP | 626 | 0 | 19 |
| Barton St David CP | 561 | 0 | 19 |
| Barrington CP | 438 | 0 | 20 |
| Queen Camel CP | 908 | 28 | 21 |
| Mudford CP | 696 | 32 | 23 |
| Compton Dundon CP | 705 | 0 | 24 |
| Charlton Horethorne CP | 591 | 0 | 26 |
| Long Sutton CP | 833 | 0 | 27 |
| Marston Magna CP | 523 | 0 | 28 |
| Shepton Beauchamp CP | 728 | 17 | 28 |
| Winsham CP | 748 | 32 | 28 |
| Chilthorne Domer CP | 574 | 0 | 34 |

| Parish | Population¹² | Sheltered/ Supported Stock¹³ | General Needs Stock |
|-----------------------------|--------------------------------|--|--------------------------------|
| West and Middle Chinnock CP | 592 | 0 | 35 |
| Charlton Mackrell CP | 1,073 | 0 | 43 |
| Sparkford CP | 617 | 0 | 43 |
| Kingsbury Episcopi CP | 1,307 | 0 | 45 |
| East Coker CP | 1667 | 0 | 46 |
| Norton Sub Hamdon CP | 743 | 0 | 46 |
| Tintinhull CP | 902 | 33 | 46 |
| Ilchester CP | 2,153 | 27 | 48 |
| Odcombe CP | 759 | 0 | 50 |
| Haselbury Plucknett CP | 744 | 0 | 52 |
| Ansford CP | 1,085 | 0 | 56 |
| Huish Episcopi CP | 2,095 | 6 | 65 |
| Ilton CP | 854 | 0 | 67 |
| Montacute CP | 831 | 0 | 67 |
| Tatworth And Forton CP | 2,660 | 32 | 69 |
| West Coker CP | 2,018 | 30 | 79 |
| Merriott CP | 1,979 | 41 | 82 |
| Curry Rivel CP | 2,148 | 34 | 93 |
| Langport CP | 1,081 | 30 | 95 |
| Abbas And Templecombe CP | 1,560 | 13 | 99 |
| Barwick CP | 1,221 | 42 | 106 |
| Stoke Sub Hamdon CP | 1,968 | 36 | 115 |
| Castle Cary CP | 2,276 | 91 | 119 |
| Milborne Port CP | 2,802 | 27 | 130 |
| Brympton CP | 7,308 | 0 | 136 |
| Bruton CP | 2,907 | 31 | 141 |
| Henstridge CP | 1,814 | 7 | 141 |
| Somerton CP | 4,697 | 44 | 198 |
| South Petherton CP | 3,367 | 23 | 243 |
| Martock CP | 4,766 | 0 | 273 |
| Yeovil Without CP | 6,834 | 0 | 335 |
| Ilminster CP | 5,808 | 62 | 335 |
| Wincanton CP | 5,272 | 69 | 352 |
| Crewkerne CP | 7,000 | 82 | 373 |
| Chard CP | 13,074 | 96 | 1197 |
| Yeovil CP | 30,378 | 376 | 2727 |