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**REPORT TO:** Cabinet Member for Housing

**DATE:** 17 February 2009

**DEPARTMENT:** Department of Community Services

**REPORTING OFFICER:** Director of Community Services  
Housing Policy and Strategy Officer (Miss J Kilburn)

**SUBJECT:** **Local Lettings Policy – 37 Charlton Dr,  
Knaresborough**

**WARD/S AFFECTED:** All

**FORWARD PLAN REF:**

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**1.0 PURPOSE OF REPORT**

1.1 To seek approval from Cabinet Member (Housing) to implement a local lettings policy in respect of 37 Charlton Drive, Knaresborough.

**2.0 RECOMMENDATION/S**

2.1 That a local lettings policy be approved, designating 37 Charlton Drive, Knaresborough as a scheme for applicants with learning difficulties.

2.2 That the mechanism for nominating applicants with learning disabilities to this property (as set out in section 6 below, be approved).

**3.0 RECOMMENDED REASON/S FOR DECISION/S**

3.1 The four bedroom ex-warden flat is unsuitable to be let as family accommodation due to it being located in an over-60's residential block and over the residential communal hall.

3.2 The allocation of 37 Charlton Drive, Knaresborough, for a shared house for individuals with learning difficulties is seen as a positive step in addressing the need to provide specialised accommodation, enabling residents to move

from dependent to independent living where individual support packages are provided.

#### **4.0 ALTERNATIVE OPTION/S CONSIDERED AND RECOMMENDED FOR REJECTION**

4.1 Not to agree the local lettings policy. This would deny applicants with learning difficulties the opportunity of moving to an independent, stable and secure lifestyle, where their support needs are fully met. This development will start to bridge a vital gap in providing specialised housing for applicants who without this option would have to remain living with family members due to very limited housing options in both the social and private sector which address the needs of this client group.

#### **5.0 BACKGROUND**

5.1 North Yorkshire Country Council has requested assistance from Harrogate Borough Council in the provision of a property to meet an identified need and to assist applicants with learning disabilities in gaining independent living.

5.2 The council property will be used as a shared house, and let on one joint tenancy to the three individuals.

5.3 If the individuals have all got the mental capacity to hold a tenancy then the property should be let to them jointly in their own names. If anyone of them lacks the mental capacity a personal representative should be appointed for that person, and it is the representative who enters into the joint tenancy on behalf of the individual lacking capacity.

5.4 If one of the three individuals decides to leave the premises s/he can serve an Notice To Quit which will terminate the whole joint tenancy, and then the property can be re-let to the remaining joint tenants and any other individual who may replace the leaving tenant. Alternatively the original tenancy can be varied to reflect the changes.

5.5 North Yorkshire County Council will arrange and fund the support package for the tenants. This needs to be in place prior to tenants entering into the tenancy agreement.

#### **6.0 Nomination Process**

6.1 This report proposes that applicants who have been accepted onto the Council's Housing List and who are put forward by North Yorkshire County Council should receive consideration for special case status under the Council's Allocations Policy. This will result in the awarding of points (if felt appropriate) by the Housing Needs Manager to ensure that the applicant is given sufficient points to secure an offer of accommodation at 37 Charlton Drive, Knaresborough. The process will be vacancy led.

#### **7.0 RISK ASSESSMENT**

- 7.1 The two risks associated with this scheme are a) North Yorkshire County Council(NYCC) do not provide the appropriate support to the tenants, and b) NYCC can not find tenants for the property.
- 7.2 These are both considered low risks, with NYCC having given assurances that a) they will arrange all appropriate support so this responsibility will not fall on to the Council, and b) NYCC have stated that if there is a delay in finding tenants, that they will pay the rent until such time as tenant(s) can be found.
- 7.3 Tenants for this property have already been identified and registered on the housing waiting list.
- 7.4 This property can easily revert back to general needs accommodation should this scheme not work.

**8.0 LEGAL, FINANCIAL AND HR IMPLICATIONS**

8.1 There are no specific legal, financial and HR implications associated with the implementation of the recommendations.

**9.0 CONCLUSION/S**

A local lettings policy in respect of 37 Charlton Drive Knaresborough will meet an identified need and make a significant contribution to the supply of affordable independent housing for people with learning difficulties, giving them a chance to transform their lives. The agreeing of a protocol on this scheme will underline its value and encourage similar joint working.

**Background Papers -**

**OFFICER CONTACT:** Please contact Jo Kilburn if you require any further information on the contents of this report. The officer can be contacted at Springfield House, Kings Road, Harrogate, HG1 5NX, by telephone on 01423 556 946 or by Email – jo.Kilburn@harrogate.gov.uk

**SUSTAINABILITY ASSESSMENT / POLICY CONSIDERATIONS**

		Implications are		
		Positive	Neutral	Negative
A	Economy		X	
B	Environment		X	
C	Social Equity			
i)	General	X		
ii)	Customer Care / People with Disabilities	X		
iii)	Health Implications		X	
D	Crime and Disorder Implications		X	

If all comments lie within the shaded areas, the proposal is sustainable.