

EXECUTIVE COMMITTEE 8th January 2019

HOUSING ALLOCATIONS POLICY 2019

Relevant Portfolio Holder	Councillor Craig Warhurst
Portfolio Holder Consulted	Yes
Relevant Head of Service	Judith Willis
Wards Affected	All
Ward Councillor Consulted	Not Applicable

1. SUMMARY OF PROPOSALS

- 1.1 The Council's Housing Allocations Policy has been extensively reviewed in order to consider the freedoms and flexibilities of the Localism Act 2011 and to consider how to better prioritise those in housing need and make best use of the limited supply of social housing in the Borough.

- 1.2 In October 2018 Members approved to consult residents, housing applicants, partners and other stakeholders on this draft housing allocations policy for a period of six weeks.

- 1.3 A six week consultation has subsequently taken place via the local press and social media and this report details the outcomes of that consultation and incorporates the results into a finalised proposal for the new housing allocations policy. Detailed information on the consultation and the responses provided, together with an Equalities Impact Assessment is contained in Appendix 1. A copy of the finalised proposal for the new housing allocations policy incorporating the feedback from the consultation is contained in Appendix 2.

2. RECOMMENDATIONS

The Committee is asked to note

The results of the consultation on the draft housing allocations policy

The Committee is asked to RESOLVE that

The new housing allocations policy be adopted and implemented by the Council

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3. KEY ISSUES

Financial Implications

- 3.1 The current allocations computer system (Civica/Abritas) is outdated and the software provider is unable to make any alterations to the system due to its age. The revised housing allocations policy will require a new computer system and a budget and resourcing this was approved by the Executive Committee on the 17th September 2018.

Legal Implications

- 3.2 The Housing Act 1996 Part 6 (as amended by the Homelessness Act 2002 and the Localism Act 2011) governs the allocation of social housing stock in England. In addition the Homelessness Reduction Act 2017 places a new Prevention and Relief Duty upon local authorities and these households are now included in the Reasonable Preference categories for the purposes of allocating social housing.
- 3.3 The Council also had regard to the Allocation of Accommodation: guidance for local housing authorities in England produced by the Ministry of Housing Department of Communities and Local Government.
- 3.4 The Council has sought advice from Anthony Collins Solicitors and an independent housing consultant to ensure that this policy is legally compliant.

Service / Operational Implications

- 3.5 During the course of the consultation respondents submitted a number of detailed comments about the proposals. These have been carefully considered.
- 3.6 A number of respondents were concerned to ensure that any new allocations policy caters for the needs of ex forces personnel, young people, and care leavers and the needs of these groups have been considered and where appropriate addressed in the new policy.
- 3.7 During the course of the consultation, new guidance intended to assist local authorities to apply the allocation legislation to ensure that victims of domestic abuse are able to move into social housing from a refuge or other form of temporary accommodation has been issued and this has also been incorporated into the new policy.

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- 3.8 Respondents also commented that the council should ensure that it is able to respond flexibly to some housing cases in exceptional circumstances. This policy enables the council to do that if required.
- 3.9 Respondents also requested clarification of definitions around hardship and welfare to help with a consistent application of the policy and this has been provided.

Customer / Equalities and Diversity Implications

- 3.10 The proposed policy will, within legislative constraints, give priority to households with a local connection to the Borough. It will also be a closed list in that not everyone will qualify to join. An Equalities Impact Assessment has been carried out on the proposals, as contained within Appendix 1.
- 3.11 The proposed policy will be more transparent and easier to understand and aligns with welfare reforms so that households are not accommodated in properties where they would be affected by the housing benefit rules and deemed to have a spare room thereby having their housing benefit reduced. Some households will no longer qualify for a reasonable preference as they will no longer be deemed to be overcrowded and they may be placed in a lower band than they currently occupy.
- 3.12 The policy will make better use of social housing stock and will result in more families being housed in appropriately sized accommodation.
- 3.13 Applicants will have a better understanding of their position on the register and their prospects of resolving their housing needs through the social rented sector.
- 3.14 Applicants who are key workers and volunteers will be recognised through the award of additional waiting time within their band. Those applicants who are not key workers or volunteers may be unhappy that key workers and volunteers are receiving additional waiting time within their bands and in effect are being accelerated six months in advance of them.
- 3.15 Applicants will have a clear understanding of the consequences of any tenancy breaches through being placed into a demoted band and will be clear about how this situation might be resolved.
- 3.16 Many older people who are not in a reasonable preference housing need are currently occupying a low band within Silver as they only have residency points. Under the new policy these applicants are likely to be placed into Band 5. They may consider this to be a demotion

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despite having been occupying a much lower position within the silver band.

3.17 The Council's housing stock consists of a significant number of two bedroom flats and therefore this accommodation is considered suitable for households with children. Under the new policy it is proposed that the additional preference for children in flats will be removed. This means that households with children in flats will no longer occupy a reasonable preference band should they apply for a transfer. However, the Council will advertise some properties for existing tenants who are not in reasonable preference so that households with children who occupy flats may have an opportunity to move on into houses when they become available. Case law suggests that it would be reasonable to allocate around 5% of properties in this way.

3.18 It is envisaged that this policy will be adopted alongside a new system which will encourage on line applications, self-certification and self-service, wherever possible. Checks will occur at application stage and again prior to offer. Whilst it is the applicant's responsibility to notify the authority of any changes in their circumstances, there may be occasions when an applicant has received a priority that they are not entitled to and will not be offered the property. This may lead to some frustration and consequently lead to more complaints.

4. RISK MANAGEMENT

4.1 There are risks to not implementing the updated Allocations Policy 2019 which are in the table below:

Risk	Consequence	Mitigation
Not utilising limited social housing stock in an effective manner	More households in temporary accommodation	Implement the policy and introducing a qualification criteria and making changes to the overcrowding criteria
Increased demand	Resourcing administration of the system and work arounds.	Introduce a closed register that not everyone can access.

5. APPENDICES

Appendix 1 – Consultation Questions and Feedback
Appendix 2 – Final Housing Allocations Policy 2019

6. BACKGROUND PAPERS

Executive Report October 2018 - Housing Allocations Policy 2019
Current Housing Allocations Policy 2018
Housing Act 1996 Localism Act 2011

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Allocation of Accommodation: guidance for local housing authorities in
England 2012
Homelessness Reduction Act 2017

7. AUTHOR OF REPORT

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