

Bath & North East Somerset Council	
MEETING:	Wellbeing Policy Development & Scrutiny Panel
MEETING DATE:	21 st September 2012
TITLE:	Housing Allocations
WARD:	ALL
AN OPEN PUBLIC ITEM	
List of attachments to this report: Appendix 1- Draft Homesearch Policy	

1 THE ISSUE

- 1.1 Each Local Housing Authority (the Council) must have an allocation scheme which articulates how priority for social housing is determined. The Bath & North East Somerset scheme, known as the Homesearch Scheme, is operated on the principles of choice-based lettings which combine the elements of housing need, time on scheme and client choice. At present, and in accordance with the legislation current at the time of adoption, the scheme allows anyone, with a few statutory exceptions, to join the scheme. This is known as an “open scheme”.
- 1.2 The Localism Act 2011, supported by new Allocations guidance¹, provides the Council with greater freedoms in determining local priorities. In particular the Council can now choose to exclude certain households from the scheme, such as, those households who do not have a local connection to the district or whose income is above a specific level. This is known as a “closed scheme”. The Council will need to determine how it wants to use these freedoms.
- 1.3 Following consultation, including both to this Panel on the 16th March and the Housing & Major Projects Panel on the 27th March, the attached draft policy has been produced and has returned to this Panel as requested for further consideration.

2 RECOMMENDATION

The Wellbeing Policy Development & Scrutiny Panel is asked to:

- 2.1 Note and comment on the draft Homesearch Policy contained in Appendix 1.

¹ DCLG - Allocation of accommodation: guidance for local housing authorities in England.
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3 FINANCIAL IMPLICATIONS

- 3.1 There are no direct financial implications arising from this report. However, should the Council decide to amend the Homesearch policy there will be financial implications. These financial implications arise from non-recurring set-up costs and any policy amendments which result in changes to the resources required to operate the scheme. This were discussed in more detail in the report provided to panel on 16th March.

4 THE REPORT

- 4.1 In November 2002 Bath & North East Somerset launched the Homeseekers Register. This was one of a number of Government funded pilots into the adoption of a “Choice Based Lettings” approach to the letting of social housing tenancies. This is an approach that balances customer choice and time on list with assessed housing needs as opposed to the traditional “needs only” based system. This provides a number of benefits including: transparency; improved customer satisfaction; reduced void times, particularly with low demand properties; and greater community stability and thus sustainability. Such was the success of the pilots that the Government of the day expressed a desire for all Councils to adopt such an approach. The current Government has reaffirmed their support for this approach.
- 4.2 In 2005 Housing Services commissioned an independent review of the Homeseekers Register. This review recommended a number of improvements, including a significant simplification of the scheme, marketing of all available properties and a significant investment in new IT systems. These recommendations were adopted and resulted in the introduction of the current Homesearch Policy in 2006.
- 4.3 The scheme operates in partnership with 16 local Registered Providers, also known as social landlords, who between them manage 95% of all the social housing stock in the district. Depending upon the landlord between 75% and 100% of their properties are allocated through the Homesearch scheme. In 2011 622 general needs and 150 sheltered properties were allocated through the scheme.
- 4.4 The current system operates with 4 Groups to which a household is placed, these being:
- (1) Group A: This Group includes people who need affordable housing as a result of a specific statutory requirement or those who are at a serious risk to their health, safety and well-being due to their housing situation.
 - (2) Group B: This Group includes people who have a medium level need for housing and where there are no statutory requirements. It includes people whose: current housing situation is causing a risk to their health, safety and well-being; people who are eligible for the Assisted Move-on Scheme; a strategic management move; or are at imminent risk of becoming homeless.
 - (3) Group C: This Group includes people who want affordable housing and have a genuine need to live in the Bath & North East Somerset area.

- (4) Group D: This Group includes people who do not meet the criteria for inclusion in Groups A, B or C and students who have moved to the area to study at one of the colleges in Bath and North East Somerset
- 4.5 When a property becomes vacant it is advertised on the Homesearch website, local papers and property bulletins. Households can then express an interest in any property which meets their needs. The household in the highest group expressing an interest is then nominated to that property. If two households in the same group express an interest then the household who has been in that Group for the longest time period secures the property. The system is relatively simple and transparency is enhanced by publishing the group & time on list details of the successful applicant. There are some specific conditions relating to local rural connection which applies to social housing properties in villages of less than 3,000 residents. In these cases households who can demonstrate a local connection to the village are prioritised above other applicants.
- 4.6 The Localism Act 2011 and allocations guidance provides Councils with greater freedoms in the drafting of their allocation policies to tackle local needs. The key changes are:
- (1) The Council has the power to determine what classes of people are or are not qualified to be allocated housing;
 - (2) New requirement for a right of review of a decision on qualification and to be informed of grounds of decision.
- 4.7 The requirement that certain categories of applicants are given reasonable preference remains in the legislation. These are households who are: homeless; owed a housing duty by the Council; occupying insanitary, overcrowded or unsatisfactory housing; need to move on medical or welfare grounds; or where failure to move to a particular locality in the district would cause hardship.
- 4.8 Having regard to the legislation, guidance and consultation the following changes are proposed:
- (1) Restricting access to the scheme to applicants who are resident within Bath & North East Somerset or have a need to reside here, for example, due to employment, social or medical reasons. This is a significant change and is expected to remove around 17% of current applicants. It will also mean that the Council withdraws from the current Homes Choice West partnership which relaxes the local connection policy for some properties within the West of England area.
 - (2) The Government are proposing to issue allocation regulations in regard to members of the Armed and Reserve Forces. The aim is to prevent local authorities from disqualifying a person on the grounds that they do not have a connection with a housing authority. Homesearch will comply with any regulation in this regards as it becomes available, however, in the meantime we will continue to operate a relaxed local connection policy for current and ex-service personnel.
 - (3) Applicants with sufficient financial resources available to meet their housing needs will not qualify to join Homesearch. A combined income, savings, investments or capital of £60,000 or more is considered sufficient to buy a

home or pay market rent in the district. A number of exceptions apply including for applicants requiring supported housing (including sheltered accommodation).

- (4) People who own a property will not qualify to join Homesearch. Exceptions apply for people in financial difficulty, such as their home is being repossessed or they are in significant and long standing mortgage arrears and those who need supported housing, (including sheltered housing) because of their age, disability or medical condition.
- (5) Giving priority to applicants who are social housing tenants within Bath and North East Somerset and would like to move because their home is too large for their needs.
- (6) In accordance with Government guidance giving current and ex-service personnel some additional priority on the scheme. This is to be achieved by “backdating” eligible applications by 6 months.
- (7) Allowing the under-occupation of properties in rural villages where there is a shortage of properties of a particular size.
- (8) There are also a range of smaller technical changes including: how MAPPA² applicants are processed; allowing eligible vulnerable residents to apply together as a single household; changing the age that children require their own rooms.; reducing the number of Groups from 4 to 3; incorporating Curo’s transfer list into Homesearch.

4.9 At the time of writing the draft Homesearch policy has been forwarded to a specialist legal housing advisor to ensure that it is legally compliant. As such, and depending upon advice received, it may require further minor amendment.

4.10 It should also be noted that a data cleanse of the database has been delayed to coincide with any changes in Policy. In addition an IT upgrade now allows for periodic application renewal so in future an on-going data cleanse will take place.

5 RISK MANAGEMENT

5.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

6 EQUALITIES

6.1 The Equalities impact of the proposed changes have been considered during the development of the policy. In addition, specific equalities consultation has been undertaken with equalities group representatives. A formal Equalities Impact Assessment has also been completed. Comments from the Equalities Team are currently being sought.

7 CONSULTATION

7.1 Cabinet Member; Overview & Scrutiny Panel; Other B&NES Services; Service Users; Local Residents; Stakeholders/Partners.

² Multi Agency Public Protection Arrangement – national protocol for dealing with dangerous offenders.
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- 7.2 Preliminary consultation has been undertaken at meetings with Cabinet Member, and RP stakeholders to inform the evaluation of options being considered. In summary, registered providers generally support changes that are more effective at targeting affordable housing at people who need it most. However, it is important to them that the allocations scheme is broad enough to ensure that affordable housing products (including low cost home ownership) are applied for. They also want the scheme to support sustainable, mixed communities and are generally opposed to applying additional preference criteria if it disadvantages equalities groups.
- 7.3 Preliminary consultation has also been undertaken with equalities group representatives who share the concern above about equality of access to affordable housing if additional preference criteria are applied. They were supportive of restricting access to those with a need to live in the district and limited financial resources provided that home owners living in unsuitable housing and without means to move home are able to apply.
- 7.4 Consultation was also undertaken with service users using the Council's e-Consult system and telephone conversations. In summary the majority of respondents supported the proposals, particularly those around restricting access to local residents or those with a need to live here; restricting access to those who are able to afford access to the private sector and giving priority to those downsizing.

8 ISSUES TO CONSIDER IN REACHING THE DECISION

- 8.1 Social Inclusion; Customer Focus; Sustainability; Young People; Human Rights; Other Legal Considerations

9 ADVICE SOUGHT

- 9.1 The Council's Monitoring Officer (Divisional Director – Legal and Democratic Services) and Section 151 Officer (Divisional Director - Finance) have had the opportunity to input to this report and have cleared it for publication.

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Background papers	None
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