

## Bath & North East Somerset Council

MEETING:	Wellbeing Policy Development & Scrutiny Panel
MEETING DATE:	16 <sup>th</sup> March 2012
TITLE:	Housing Allocations
WARD:	ALL
<b>AN OPEN PUBLIC ITEM</b>	
<b>List of attachments to this report:</b>  Appendix 1- Options Document	

### 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 Homeseach 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 draft Allocations guidance<sup>1</sup>, 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.

### 2 RECOMMENDATION

The Wellbeing Policy Development & Scrutiny Panel is asked to:

- 2.1 Note and comment on the issues detailed in this briefing report.

<sup>1</sup> CLG - Allocation of accommodation: guidance for local housing authorities in England. Consultation  
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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.
- 3.2 Set up costs would include the costs associated with reassessing client eligibility and priority in light of any policy changes; system redesign, particularly IT; and notifying and liaising with affected households. With nearly 12,000 households on the scheme these costs could be significant and are likely to be around £30,000.
- 3.3 Potential changes to on-going costs would include any change which either increases or decreases the work load on the Homesearch team. It is important to note that any scheme that restricts access on a matter that requires detailed investigation or judgement, rather than a simple fact, will be significantly more resource intensive. It should not therefore be assumed that a smaller, restrictive list is more cost effective.

### **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 current draft 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 The draft guidance also makes a number of other proposals, comments and suggestions. Whilst many of these are technical in nature, for example, providing greater clarity on what constitutes overcrowding or welfare grounds and ensuring that prospective adopters and carers are catered for, there are some more fundamental proposals, including:
- (1) Confirming that existing social tenants who are satisfactorily housed, that is, do not have a reasonable preference, do not have to be included on the allocations scheme. That said providing greater mobility within the sector can

help promote social & economic wellbeing. In addition providing existing social tenants who under-occupy with priority can make more effective use of the existing housing stock.

- (2) Ensuring that former Forces personnel are not unfavourably treated on residency grounds plus a proposal that former Forces personnel are given “additional preference” within the reasonable preference ground. In effect this means that former Forces person should be given priority over non-Forces personal, despite being in similar or identical housing situations. When combined with the relaxed residency criteria this has potentially significant implications.
- (3) Urging Councils to consider how they can support, in effect prioritise, households “who want to work, as well as those who – while unable to engage in paid employment – are contributing to their community in other ways, for example through voluntary work”. Being in training is also generally considered to qualify. Whilst controversial in the housing profession the proposal to reward “community contribution” appears to have gained widespread political support with both the leadership of the Conservatives and Labour promoting it and some Councils actively pursuing it.

4.9 Appendix 1 provides a summary of how the new freedoms could be utilised and the questions that the Council will need to address. The appendix also provides a number of other technical changes that Housing Services consider appropriate.

4.10 It should also be noted that a data cleanse of the data base 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 options and are reflected in Appendix A. In addition, specific equalities consultation has been undertaken with equalities group representatives. However, when the proposed draft policy has been developed a formal Equalities Impact Assessment will be completed.

## **7 CONSULTATION**

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

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 with service users and local residents is planned and will feature on the council's consultation programme and on the Homeseach website. Customer friendly briefings with a telephone hotline for people without internet use will also be published in the Chronicle adjacent to Homeseach advertisements.

7.5 It is intended to consult and inform more widely with these groups about any changes and impacts when the revised Allocations Scheme is in draft form.

## **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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<b>Background papers</b>	None
<b>Please contact the report author if you need to access this report in an alternative format</b>	