

## Bath & North East Somerset Council

MEETING:	<b>Cabinet</b>	
MEETING DATE:	<b>14<sup>th</sup> November 2012</b>	EXECUTIVE FORWARD PLAN REFERENCE:
		<b>E 2479</b>
TITLE:	<b>Housing Allocations Revised Scheme</b>	
WARD:	All	
<b>AN OPEN PUBLIC ITEM</b>		
<b>List of attachments to this report:</b> <b>Appendix 1 – Proposed Allocations Policy</b>		

### **1 THE ISSUE**

1.1 The way social housing is allocated is key to creating communities where people choose to live and are able to prosper. The Localism Act 2011 gave new freedoms that allow the council to better manage its waiting list by changing the current allocation scheme which articulates how priority for social housing is determined. The proposed revised scheme takes account of, and responds to, statutory guidance published in June 2012. This report summarises the main changes and recommends adoption of the attached scheme.

### **2 RECOMMENDATION**

The Cabinet agrees that:

2.1 The proposed revised allocation policy, attached in appendix 1, is formally adopted.

2.2 That the policy is implemented in phases starting 1<sup>st</sup> January and to be fully implemented by 1<sup>st</sup> July 2013.

### **3 FINANCIAL IMPLICATIONS**

- 3.1 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 include the costs associated with reassessing client eligibility and priority in light of policy changes; system redesign, particularly IT; and notifying and liaising with affected households. With over 12,000 households on the scheme these costs are significant. Total set-up costs are estimated to be around £30,000. This cost will be found within existing Housing Services budgets by re-prioritising current work streams.
- 3.3 Potential changes to on-going costs could include any change which either increases or decreases the work load on the Homeseekers 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. That said the proposed scheme has been designed with a view of minimising any additional resource demands and as such it is anticipated that any changes can be incorporated within existing resources.

### **4 CORPORATE OBJECTIVES**

- 4.1 An effective housing allocation policy will contribute to the following corporate priorities:
- Promoting independence and positive lives for everyone – by ensuring that social housing is allocated in accordance with the Council’s strategic priorities.
  - Creating neighbourhoods where people are proud to live – by ensuring that the policy is framed around customer choice.

### **5 THE REPORT**

- 5.1 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.
- 5.2 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 Homeseekers Policy in 2006.

- 5.3 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.
- 5.4 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
- 5.5 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 and 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.
- 5.6 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.
- 5.7 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.

5.8 Having regard to the legislation, guidance and the result of 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 the policy will continue to provide a relaxed local connection policy for current and ex-service personnel.
- (3) In accordance with recent Government guidance the policy will give current and ex-service personnel some additional priority on the scheme. This is to be achieved by “backdating” eligible applications by 6 months.
- (4) 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).
- (5) 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.
- (6) 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.
- (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 MAPPA<sup>1</sup> 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.

5.9 Households have already been advised of changes being considered as part of the Consultation process. However, this will be formally confirmed in the first

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<sup>1</sup> Multi Agency Public Protection Arrangement – national protocol for dealing with dangerous offenders.  
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week of January 2013 with the agreed changes going live on the 1<sup>st</sup> April 2013. The implementation will be concluded by 1<sup>st</sup> July 2013.

- 5.10 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.

## **6 RISK MANAGEMENT**

- 6.1 The report author and Lead Cabinet member have fully reviewed the risk assessment related to the issue and recommendations, in compliance with the Council's decision making risk management guidance.

## **7 EQUALITIES**

- 7.1 The equalities impacts of the proposed changes have been considered during policy development, however, the core objective of this policy is to ensure that households who are unable to compete on the open market are provided with suitable and appropriate housing. Specific equalities consultation has also been undertaken with equalities group representatives. An equalities impact assessment has been completed on the proposal which did not find any adverse impacts on protected groups.

## **8 RATIONALE**

- 8.1 The Council is required to adopt and publish a housing allocations policy which articulates how social housing is allocated. The implementation of this policy will ensure that housing allocations create balanced communities where people choose live, make the best use of the housing stock and ensuring that those in greatest need are prioritised.

## **9 OTHER OPTIONS CONSIDERED**

- 9.1 None.

## **10 CONSULTATION**

- 10.1 Ward Councillor; Parish Council; Town Council; Policy Development and Scrutiny Panel; Staff; Other B&NES Services; Service Users; Local Residents; Community Interest Groups; Stakeholders/Partners; Other Public Sector Bodies; Section 151 Finance Officer; Chief Executive; Monitoring Officer

- 10.2 The consultation was carried out between June 2011 and October 2012. A Communications Project Plan for the Allocations Policy and also the Tenancy Strategy which is available from Housing Services set out the purpose, objectives and scope of communications and the key messages and stakeholders involved.

- 10.3 Consultation methods included a mix of meetings with internal and external stakeholders and an open public meeting, targeted questionnaires and briefings, on line consultations and a press release aimed at local residents and council staff. This consultation informed the policy including a range of technical changes and wording clarifications.

- 10.4 The consultation responses can usefully be grouped into 4 themes:

- a) Restricting the access to affordable housing in B&NES on the basis of having a local connection and low income and assets. Strongly supported by all stakeholders.
- b) Increasing the priority given to people who are downsizing which will make better use of current housing and help people who need to move because of welfare benefit reforms. Supported by stakeholders.
- c) Other technical changes including changing the age that brothers and sisters are eligible for spare rooms and allowing limited under-occupation in rural connection properties where the absent of a range of properties sizes prevents local people living within their community. Marginal support from public with full support from other stakeholders including the Wellbeing and Housing and Major Projects Policy Development and Scrutiny Panels.

And one theme that has **not** been included in the policy change:

- d) Giving priority for community contribution to reward and encourage behaviours and skills that contribute to stronger neighbourhoods and tenancy sustainment. A significant minority of the public supported this change (39%) though the majority were against (61%) including Registered Providers and the Wellbeing and Housing and Major Projects Policy Development and Scrutiny Panels. Generally considered difficult to assess and potentially liable to be unfair to people who were unable rather than unwilling to contribute (such as some disabled people).

## 11 ISSUES TO CONSIDER IN REACHING THE DECISION

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

## 12 ADVICE SOUGHT

12.1 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>Sponsoring Cabinet Member</b>	Councillor Simon Allen
<b>Background papers</b>	None
<b>Please contact the report author if you need to access this report in an alternative format</b>	