

PAPER NO. 4

REPORT TO THE EXECUTIVE MEETING OF 4 DECEMBER 2017

Meeting: Executive
Date: 4 December 2017
Subject: Allocation of Social Housing - Policy Review
Report of: Ann Ball, Housing Manager
Portfolio Holder: Councillor Phillip King
Status: For Decision

Relevant Ward(s): All Wards

1 Purpose of the Report

1.1 For members to consider changes to the Housing Allocations Policy.

2 Recommendations:

2.1 To approve the proposed changes as set out in the table attached at Appendix A

2.2 That the proposed changes take effect from the implementation of the new Integrated Housing System, currently scheduled for launch in April 2018.

2.3 To delegate authority to the Corporate Director (NP) to make future changes to the Allocations Policy in consultation with the Portfolio Holder, where this is necessary to comply with statutory guidance, or where the impact of proposed changes (identified through the implementation, operation or monitoring of the policy), will not have a major impact, and would not necessitate the implementation of a full review of the policy.

3 Summary of Reasons for the Recommendations

3.1 A detailed table of the proposed changes together with reason and impact is attached at Appendix A. In summary, the changes proposed to date include:

- Strengthening the local connection criteria, ensuring applicants have a strong connection with the district.

- Restricting social and private tenants from joining the housing register if they are adequately housed and not able to demonstrate a housing need.
- Ensuring applicants who owe housing related debts are regularly re-paying them before accepting them onto the housing register.
- Removing applicants from the housing register if they fail to bid for suitable sized properties within a six month period of joining the register (unless no property of a size and type to meet the household's housing need has been advertised).
- Changing the procedures for those applicants in Priority and High bands when their time in that band expires.
- Removing the reference to a specific quota of properties to be advertised with preference to new applicants or to transfer applicants so that the policy reflects current practice and properties will be advertised giving equal preference unless specifically requested by the Landlord.
- Including a quota of lettings in the Policy for Right to Move applicants.
- Relaxing the financial threshold for applicants aged 55+ (who are single and couples) who are assessed as having the financial means to address their own housing need, and for this reason would not normally be permitted to join the housing register. Allowing them to join the register but being limited to bidding for Independent Living Schemes or Extra Care Accommodation (subject to the Landlord's assessment criteria).
- Removing the reference to the Leicestershire sub-regional choice based lettings partnership throughout the policy, for example removing paragraph 21.1 of the Allocations Policy which refers to a sub-regional connection.

3.2 The rationale for proposing the relaxation of the financial threshold for applicants aged 55+ (singles and couples) is that this change in policy will assist in maximizing the take up of this type of accommodation within the district, and will satisfy housing need and reduce the number of appeals to join the housing register.

3.3 The main provider of social housing in the district currently has low demand for some 'Independent Living Schemes' (formerly known as sheltered housing). If there is no demand from the housing register for this accommodation they may advertise these properties elsewhere and are able to grant tenancies to applicants who were not on the housing register and therefore may not have a local connection with the district.

3.4 As the Council will be withdrawing from the Leicestershire sub-regional partnership the Council's revised Allocations Policy will apply specifically to

applications to join Harborough District Council's Housing Register and will therefore have to meet District Local Connection criteria.

4 Key Facts

- 4.1 The Council has a statutory duty to produce a Housing Allocation Scheme (also known as a policy) which specifies who is eligible to join the housing register and who should be given priority when shortlisting applicants for vacant homes. The current Allocations Policy is attached at Appendix D.
- 4.2 The Allocations Policy was last reviewed and recommended changes adopted in 2014. It was a recommendation of Executive in July 2016 that the Allocations Policy be reviewed and completed by March 2017 to coincide with decisions regarding the future options for delivery of Harborough Home Search (the Council's choice based lettings scheme and a partner of the Leicestershire Homes scheme). The work on proposed policy changes was completed on target, however, the procurement of the new Housing System and the decision on whether the district would remain in the Leicestershire sub-regional scheme were still to be completed at that time. The procurement of the new Housing System has now been completed and a new system will be delivered prior to the Homeless Reduction Act being implemented in April 2018. The Allocations Policy informs the development of both the Housing Register and Choice Based Lettings modules of the new Housing System as these will be built by the provider to deliver the Allocations Policy.
- 4.3 The revised policy will inform the specification of the new Housing Register module within the integrated housing system. All existing housing applicants will be asked to register on the new system once it is live. This will mean closing the existing register to new applicants for approximately 4-6 weeks, save for priority applicants.
- 4.4 It is proposed that the revised allocations policy will also take effect at the point of reregistration. Therefore, once the new system is live households applying to join the new housing register will have to meet the eligibility criteria within the new policy.

5 Legal Issues

- 5.1 The policy must meet the requirements of legislation and statutory guidance. Legal Services have been consulted regarding the proposed changes to policy, and also with regard to the inclusion of a paragraph in the policy regarding to the 'Right to Move' quota - guidance relating to the Right to Move was issued by the Secretary of State for Communities and Local Government in March 2015 (see link to guidance).
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/418437/Right_to_move_-_statutory_guidance.pdf.
- 5.2 'Right to Move' aims to increase mobility for social tenants to enable them to move to take up employment. Regulations were introduced to prevent local

authorities applying a local connection test that could disadvantage tenants who need to move across local authority boundaries for work related reasons.

- 5.3 Although the statutory guidance is not legally binding, local authorities should comply wholly or as much as possible with the guidance to ensure that the policy is deemed lawful and not susceptible to public law challenges. Paragraph 43 of the guidance states Local authorities should publish a quota (i.e. a target number of lettings to be made under Right To Move criteria) as part of their allocation scheme together with their rationale for adopting the specific percentage and should review and revise the proportion as appropriate.

6 Resource Issues

- 6.1 Additional temporary staffing and resources will be required to support the reregistration process and associated activities.
- 6.2 The new integrated housing system will deliver a saving in hosting and maintenance fees.

7 Equality Impact Assessment Implications/Outcomes

- 7.1 The impact of the proposed changes on applicants already registered on the housing register was assessed at the beginning of the policy review process and an Equality Impact Assessment has been completed and is available at Appendix C. No actual or potential adverse impact or discrimination has been identified as a result of the proposed changes. Conversely, application of the scheme (and the proposed amendments) can make a positive contribution to equalities as all registered applicants will still be able to exercise choice regarding where they choose to live and the Allocations Policy ensures that the most vulnerable applicants are able to access suitable affordable housing to address their housing need.

8. Risk Management Implications

- 8.1 The risk for legal challenge has been minimised by seeking Legal Services' view on the proposed changes
- 8.2 The risk of challenge from vulnerable groups is minimised, by consulting with statutory and voluntary agencies that represent or support such groups, and taking their views into account when completing our Equality Impact Needs Assessment.

9 Consultation

- 9.1 During the review of the Allocations Policy there has been wide consultation on the proposed changes with Applicants, Registered Providers, local authority partners within the Leicestershire choice based lettings scheme, and statutory and voluntary agencies who work with and represent vulnerable residents/groups in the district. Consultation has been face to face with

Registered Providers and partners and predominantly through an on-line questionnaire which was widely publicised via a press release prior to the start of the consultation period and was issued as a reminder towards the end of the period. The statutory consultation period began on 6th December 2016 and closed on the 8th January 2017. During this period a link to the consultation questionnaire regarding the proposed changes to the Allocations policy was published on the corporate website and was available for anyone to respond to (see Appendix B – Consultation Results).

9.2 In addition to the responses received on-line we also received telephone calls, an email and two letters from applicants which expanded on their personal situation explaining their reasons for joining the housing register.

9.3 The responses to the statutory consultation on the proposed changes to the Allocations Policy have been analysed. Detailed responses have also been sent to the applicants who submitted additional correspondence.

10 Background Papers

10.1 Review of Choice Based Lettings, Executive, 8 May 2017

Previous report(s):

Information Issued Under Sensitive Issue Procedure: N

Ward Members Notified: NA

Appendices: *list any appendices here including title and filename in brackets (e.g. Performance Data 2010 (perfdata.doc)).*

A Table of Proposed Changes to Allocation Policy

B Consultation Results on Proposed Changes to Allocations Policy

C Equality Assessment of Proposed changes to Allocations Policy

D Harborough Homeseach Allocations Policy 2014