

**Agenda Item No: 9**

**Report to:** Cabinet

**Date of Meeting:** 2 April 2013

**Report Title:** Hastings Borough Council's Allocations Scheme

**Report By:** Andrew Palmer  
Head of Housing and Development

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### **Purpose of Report**

To advise Cabinet of changes to the Allocations Scheme following a statutory 12 week consultation period

To seek approval to adopt the revised Allocations Scheme which outlines the Council's approach to the allocation of social housing in the Borough and takes account of feedback following consultation

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### **Recommendation(s)**

- 1. That Cabinet adopt a revised Allocations Scheme for implementation in June 2013**

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### **Reasons for Recommendations**

The Localism Act 2011 made significant amendments to Part 6 of the Housing Act 1996, relating to the allocation of social housing.

In view of these changes The Council has reviewed its allocation scheme and produced a revised Homemove Allocation Scheme 2013 in consultation with partners and following a statutory 12 week public consultation period

## Introduction

1. The Localism Act 2011 made significant amendments to Part 6 of the Housing Act 1996, relating to the allocation of social housing. This provides local authorities with greater flexibility in how they structure their allocation schemes. In the past Councils were required to accept all applications to join the housing register. Under the Localism Act Councils have the power to restrict access by setting out criteria which will determine who qualifies to join.
2. Our current scheme reflects legislation introduced in 2002 where the Council was required to allow all households to register and bid for properties (with a very few exceptions). As a result the number of households accepted onto the housing register has steadily increased (along with the associated officer resource needed to process, assess and monitor applications) with most applicants having little or no chance of ever being rehoused.
3. In the light of revised guidance and legislation The Council has been reviewing its allocation policy with a view to implementing a new scheme in 2013/14. All Local Authorities in East Sussex are reviewing their allocations schemes and it's important we have regard to any changes they make to minimise any potential impacts on the Hastings housing register. E.g. if Rother exclude certain households from the register, consideration should be given to the potential impact of those excluded trying to access the Hastings housing register. We also need to address any risk of inward migration from households affected by the welfare reform.

## Context

4. In framing a scheme we have taken account of the fact that the supply of social housing stock in Hastings and St Leonards is insufficient to meet the level of demand. Many people currently registered will have little realistic hope of being accommodated in social housing in the foreseeable future.
5. We have therefore made a number of changes that will effectively limit access to the housing register to a smaller number of households that have a more realistic chance of being rehoused. This will help both improve the management of our housing register and better manage the expectations of those wishing to apply. The principle of this is that all households should have access to a range of housing options (not just social housing) and we will encourage households to consider all solutions to meet their housing need.

## Consultation

6. It's a statutory requirement to consult on the proposed changes. The draft policy was made available for public consultation for a 12 week period. Rather than circulating the whole policy document for comment, all members of the housing register and current social housing tenants in the Borough were contacted directly and asked to respond to key questions focussing on the main proposed changes and comment on the principles of the general policy direction. In addition the whole draft document and the 'key questions' were available for wider consultation on the Council's website. Housing associations and other agencies were consulted and asked to encourage their clients to participate in the consultation. This was enabled

through posters in offices and on websites with electronic links to our website to access the consultation questions. We also published information in the About magazine.

7. A total of 219 (17 were from people that do not live in the area) responses were received online with partner agencies responding informally at meetings or more formally through correspondence. The consultation indicates that respondents who were local residents are broadly in favour of:
  - Persons already suitably housed should not be accepted onto the Register
  - A residency requirement to access social housing
  - Older people with no housing need being able to access sheltered housing
  - potential exclusion from the Register for rent arrears or anti-social behaviour
  - income being taken into account when considering eligibility
8. Partner Agencies are supportive of the policy direction, but are keen that some other key changes, less supported by local residents, are incorporated into the policy.
  - support for foster carers and adopting families to gain priority to ensure the new policy doesn't negatively affect the supply of foster carers
  - a case by case approach to families/individuals who have had difficulties with rent arrears/anti-social behaviour.
9. A summary of responses and a complete list of comments from the consultation are available on request.

## Key policy changes in the new Allocations Scheme

10. A clear distinction has been made between access to the register and priority afforded once accepted on to the register. All applicants wishing to join the housing register must have a housing options interview to look at all housing options available to them and determine whether they are eligible to join the register.

### Qualifying applicants

Draft consultation document	Proposed policy considering feedback
Only those in housing need will be eligible to join the register (with the exception of those seeking housing for older people)	Remains the same
Local residency connection of 2 years (with a few exceptions)	Local residency connection of 3 out of 5 years (with a few exceptions)
Upper limits of £32k income and 6K savings	No limits to savings or income. Each case will be assessed individually taking into account household circumstances and their ability to secure accommodation in private sector
Households with a history or anti social	Remains the same

behaviour or rent arrears will be ineligible to join the register unless they can demonstrate behaviour to successfully address the issues	
Only those with a medical need that is made significantly worse by their current housing will be given additional priority as part of a housing needs assessment	Remains the same
Ex Armed forces personnel will not be required to demonstrate local residency connection to be eligible for the register and will be given automatic priority for housing by virtue of having served in the armed forces. This will not be the case for those dishonourably discharged.	This will apply to all ex armed forces personnel regardless of reasons for discharge.

11. Only those with a clearly defined and accepted level of housing need will qualify to join the register. This will be based primarily on their current housing situation and or medical or other welfare circumstances. An exception is proposed for those seeking sheltered housing because this is a specialist model of accommodation for older people and there is sufficient supply to meet demand as it's not an accommodation option all older people prefer. This mirrors the draft strategy circulated for consultation.
12. In most instances qualifying households will be required to demonstrate a local connection to the Borough having lived in Hastings for at 3 out of the last 5 years (with a few exceptions). This has been changed from the initial 2 year connection to allow flexibility when people move away for short periods of time, taking into account neighbouring Local Authority Allocations Schemes and to reflect public consultation.
13. Households will not be eligible to join the register if they have sufficient financial resources to resolve their own housing situation in the private sector. The previous income level of £32,000 and savings of £6000 in the draft policy has been removed to mirror local social housing landlord tenancy policies. This will enable a housing options officer to consider income and savings in relation to the households specific accommodation needs. Consideration will be given to the local housing market in relation to this.
14. Non qualifying households will also include households where there are significant and outstanding rent arrears on an existing property or a history of anti-social behaviour or breaches of tenancy. This is the same as in the previous draft policy and further detail is in Appendix C of the attached policy.
15. Households will be required to provide evidence of medical circumstances worsening as a result of unsuitable housing. Medical priority is awarded where a move to alternative accommodation would significantly improve the health or quality of life of an applicant or member of their family. It is NOT awarded on the basis of the medical conditions of household members alone. For some people with serious medical conditions, a move will not improve their health because they are already housed in the most suitable accommodation we can provide.

## Priority Banding

16. Priority banding will be retained and those that do qualify to join the register will be assessed and allocated a band to reflect the degree or level of housing need.
17. Band A will be for those with the highest priority for housing and band C for those with the lowest priority. Band D will be exclusively for older people seeking sheltered accommodation, regardless of their housing need or financial situation.
18. Within each band households will be prioritised according to the length of time they have been on the housing register, as is the current practice. The revised banding structure incorporates Government guidelines which set out groups who should be awarded 'reasonable' preference.
19. The banding takes into account a wide range of factors including:
  - under-occupation in social housing
  - insanitary or statutory overcrowded housing
  - lacking bedrooms
  - medical conditions
  - risk of personal harm
  - exceptional circumstances
  - homelessness
  - the need for works to be carried out on existing social housing properties
  - bedroom requirements for fostering and adoption
  - management transfers
  - difficulties in accessing and maintaining private rented sector accommodation and the need for adaptations
  - the need of applicants who have served in the armed forces
  - welfare and social needs
20. In line with Government guidance and local priorities it is proposed that working households, or those making a community contribution, are awarded additional priority where agreed appropriate through Local Lettings Plans.

## **Impact of the proposed changes**

21. Only those with a realistic chance of being housed as a result of their current housing and or medical circumstances will be accepted onto the register
22. Based on current numbers this could potentially reduce the current register from approx 3,800 households to approx 700-1000 households.
23. Demand would still exceed the average 350 general needs vacancies arising in social housing stock annually.

24. Restricting access to the register to people with residency connection will help deter applications from households in areas where housing demand and costs may be even higher, thereby ensuring that local people get fair access to homes. There are currently over 600 applicants on the housing register that do not live in the local area.
25. Restricting access to those in housing need would help manage customer expectations in terms of how long they may have to wait for a chance of securing accommodation.
26. Implementation date of the new policy is planned to be the 3rd June 2013.

## Policy Implications

27. Equalities and Community cohesiveness: An equalities impact assessment has been completed.
28. Organisational Consequences: It is anticipated that the implementation of the policy will result in a reduction in the number of households eligible for the housing register and a reduction in administration functions associated with maintaining a larger register.
29. Implementing the policy will result in housing options officers assessing eligibility for the housing register as part of a holistic housing options interview. All applicants will be required to see an options officer prior to joining the register.
30. Local people's views: feedback following consultation with local people has been considered and has shaped the final document in appendix 1

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### Wards Affected

Ashdown, Baird, Braybrooke, Castle, Central St. Leonards, Conquest, Gensing, Hollington, Maze Hill, Old Hastings, Ore, Silverhill, St. Helens, Tressell, West St. Leonards, Wishing Tree

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### Area(s) Affected

Central Hastings, East Hastings, North St. Leonards, South St. Leonards

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### Policy Implications

Please identify if this report contains any implications for the following:

Equalities and Community Cohesiveness	Yes
Crime and Fear of Crime (Section 17)	No
Risk Management	No
Environmental Issues	No
Economic/Financial Implications	No
Human Rights Act	No
Organisational Consequences	Yes
Local People's Views	Yes

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## Background Information

Appendix 1 Draft Allocations Policy

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## Officer to Contact

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Appendix 1 Draft Allocations Policy could not be published in this area of the Council's website because of the complex images that they contain. They are available in another area of the site and may be accessed via the following link:-

[http://www.hastings.gov.uk/decisions\\_democracy/how\\_we\\_make\\_decisions/constitution\\_committees/cabinet/](http://www.hastings.gov.uk/decisions_democracy/how_we_make_decisions/constitution_committees/cabinet/)

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