

PEOPLE (ADULTS & HEALTH) SCRUTINY PANEL

27 February 2014

HOUSING ALLOCATION POLICY

Report of the Director for Places (Development and Economy)

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| STRATEGIC AIM: | Meeting the health and wellbeing needs of the community |
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1. PURPOSE OF THE REPORT

- 1.1 To consider the draft revised Housing Allocation Policy as part of the consultation process. The policy sets out how the Council assesses applicants for housing association tenancies. It aims to address new statutory guidance and to better meet the housing needs of Rutland.

2. RECOMMENDATIONS

- 2.1 **That the draft revised Housing Allocation Policy at Appendix B is considered by the People (Adults & Health) Scrutiny Panel and any comments be reported to Cabinet as appropriate.**

3. THE EXISTING HOUSING ALLOCATION POLICY

- 3.1 The Housing Allocation Policy was approved by full Council in January 2013 and implemented by end of May 2013. The number of applicants registered fell from 397 in March 2013 to 233 at January 2014, largely due to the introduction of local residence/work requirements and changes in circumstances/interest for some applicants.
- 3.2 The current policy's requirements to join and remain on the list are summarised below (lettered here for ease of reference):
- a) to have been normally resident in Rutland for the preceding six months
OR
 - b) to have been normally resident in Rutland for a total of one year out of the preceding two years OR
 - c) to have been in paid employment (not necessarily permanent) in Rutland for the preceding year, for at least 17 hours per week on average OR
 - d) to be members of the regular Armed Forces and former members where the application is made within five years of discharge OR
 - e) households to whom the Council has accepted a full homelessness duty
OR

- f) some cases where people have particularly pressing welfare needs and a strong local connection OR
- g) applications for low demand dwellings, where approved by the responsible Director.

3.3 The Council consulted the public and other stakeholders regarding the current qualification time period in Autumn 2012, prior to its introduction. Out of 85 responses to the relevant question, 16 thought it was 'too strict', 56 'about right' and 13 'not strict enough' (Appendix A of report 219/2012, Cabinet 4 December 2012).

4. THE REVISED STATUTORY GUIDANCE ('PROVIDING SOCIAL HOUSING FOR LOCAL PEOPLE') AND ITS IMPLICATIONS

4.1 On 31 December 2013, the Government issued revised statutory guidance on local connection requirements for the housing register. The Council is required by law to have regard to the revised statutory guidance, but the Council does not have to follow it in every respect provided this can be properly justified. There are no accompanying changes to primary or secondary legislation.

4.2 The key recommendation in the guidance is that applicants should normally have lived in the area for a minimum of two years before joining the housing register. Suggested exceptions in the guidance include:

- MoD personnel
- households with a strong work or family connection to Rutland (generally in the context of the connection lasting some years)
- transfer applicants moving for work purposes
- some cases where the Council has placed households outside Rutland on temporary basis (e.g. care leavers, or any homeless households in bed and breakfast)
- people fleeing domestic abuse
- people seeking properties in low demand.

4.3 Under section 166A(12) of the Housing Act 1996 (as amended), the Council must also have regard to its homelessness strategy when considering changes to the Housing Allocation Policy. The Homelessness Strategy 2012-17 emphasises the shortage of various types of accommodation in Rutland, including direct access hostels. This means that people with a very strong local connection will sometimes have to move out of Rutland temporarily, whilst still seeking affordable accommodation locally. Flexibility has been provided where appropriate in line with the Equality Act 2010, to facilitate fair treatment if people have had to move temporarily for unavoidable reasons.

5. PROPOSED CHANGES TO THE COUNCIL'S HOUSING ALLOCATION POLICY

5.1 The main impact of the guidance on existing policy is on points a), b) and c) in paragraph 3.2 above.

5.2 The Council's current Housing Allocation Policy states that it will normally be monitored and evaluated annually, with the outcome of this forming the basis of any policy changes recommended subsequently. The evaluation shows that other major changes are not needed at this stage. The new policy is

generally working well and has only recently been introduced. There are however a few revisions proposed in the light of operational experience, which the Council may wish to consider making at the same time as those needed following the issue of the guidance.

- 5.3 The proposed changes are summarised with in Appendix A, which cross-references the draft revised Housing Allocation Policy in Appendix B.

6. CONSULTATION AND NEXT STEPS

- 6.1 The Council must by law consult housing associations before making major changes to this policy. Our current policy also requires us to consult tenants, relevant voluntary organisations and other stakeholders before making changes.
- 6.2 Subject to approval by Cabinet on 18 February 2014 (Report no. 39/2014), public and stakeholder consultation on the revised policy document will be carried out for a four week period in February / March 2014. Any comments received from the Scrutiny Panel will be included as part of the consultation process.
- 6.3 Following public consultation, responses will be assessed. A report, including a final draft of the policy, will be brought back to Cabinet on 6 May 2014, for consideration and recommendation to Full Council in June 2014.
- 6.4 There would then be a phased introduction of the new policy, which may take up to three months from Council approval, whilst processes are updated and applications reviewed.

7. FINANCIAL IMPLICATIONS

- 7.1 Some minor changes may be needed to the Housing IT system, which may be around £5,000 to commission and implement and should be contained within the existing mainstream budgets. There will also be some postage and stationery costs from contacting applicants and revising leaflets. Restricting further who can be allocated affordable housing may increase supply for those still entitled, but could also affect the Council's ability to prevent homelessness. The potential implications will be monitored carefully by Officers and Portfolio Holders kept informed.

8. RISK MANAGEMENT

| RISK | IMPACT | COMMENTS |
|------------------|---------------|---|
| Time | Medium | The new guidance is in force and encourages councils to review their policies as soon as possible. The timescale has been set so that public consultation can be completed prior to the publication of the Notice of Election for the European elections in early April 2014. |
| Viability | Low | A revised Housing Allocation Policy will ensure that the Council's approach is up to date and relevant, meeting the revised government guidance and the necessary statutory requirements of the Council. |
| Finance | Low | There are some risks which are detailed under 'Financial implications' above that will be met within the existing mainstream budgets. |

| RISK | IMPACT | COMMENTS |
|-------------------------------|---------------|--|
| Profile | Medium | The revised Housing Allocation Policy will be subject to public and stakeholder consultation and will be published on the Council's website. The most important effect of the changes is to raise the standard residence requirement for joining the housing register from 6 months to 2 years, but in both cases homeless households with local connection and MoD households are exempt. |
| Equality and Diversity | Low | The nature of a Housing Allocation Policy is that it meets need partly by prioritising between different types of applicants or households. Any differential impact needs to be justified, as it is for the existing policy. An Equalities Questionnaire has been prepared which does not show any adverse impact on protected groups. |

Background Papers

Allocation of accommodation: guidance for local housing authorities in England (CLG, June 2012)
 Providing social housing for local people (CLG, December 2013)
 Housing Allocation Policy, January 2013
 Equality Questionnaire Housing Allocation Policy January 2014
 Staying Healthy Action Plan 2013-2016 Quarter 2 2013-14
 CPI: 12-month inflation rate for the last ten years: December 2003 to December 2013

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A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.