



Policy and Resources Committee 5th December 2016

Draft Housing Allocation Policy 2017

Purpose of report

This report presents members with the Draft Housing Allocation Policy 2017 and seeks approval to release the document for formal public consultation.

Attachments: Appendix 1 Draft Housing Allocation Policy 2017
Appendix 2 Equalities Impact Assessment

1.0 Background

- 1.1 All local authorities, including those without housing stock, are required by law to publish a housing allocation policy, setting out how affordable housing properties in the area will be allocated.
- 1.2 The current Housing Allocation Policy 2013 was approved by this Committee on 14 January 2013. It was drawn up following several legislative changes, including the Localism Act 2011, which granted councils greater freedom to set their own policies in respect of housing allocations.
- 1.3 As the policy is now over 3 years old it was considered necessary to undertake a full review and this was therefore included in the work programme of the Housing Policy Working Party.

2.0 Draft Housing Allocation Policy 2017

- 2.1 The Housing Policy Working Party has carefully reviewed the existing Housing Allocation Policy and the revised draft policy is attached at Appendix 1.
- 2.2 There have been a number of changes to wording and to the ordering of the document. In addition, the following changes have been made:
 - 1. More detail has been added to the description of what constitutes employment in the district (Paragraphs 6.4 - 6.7)
 - 2. A new section has been added to cover the new Right to Move Regulations (6.8 - 6.13)
 - 3. Civil partners of armed forces personnel have been included in the definition of war widows and widowers (6.14 - 6.15)
 - 4. A new section has been added to explain the policy regarding exception site developments where planning permission has been granted (generally outside a village envelope) subject to the properties only being allocated to people with a local connection to that settlement or parish (6.16 - 6.19)
 - 5. A new section has been added on shared ownership (7 - 7.5)
 - 6. Owner-occupiers and applicants with sufficient income or assets to purchase a property will now generally be excluded from the register and a maximum income restriction of £60,000 imposed. There will be exceptions, but applicants will be subject to a much more rigorous financial assessment. The restrictions

- will also apply to older owners (60+) although their potential needs for specialist accommodation and the relative availability and costs of this will also be taken into consideration (10 -10.10)
7. More emphasis has been placed on the council's rights and responsibilities in respect of seeking and sharing information with third parties when assessing an application (11.5)
 8. Greater onus has been placed on the applicant to advise of any change in circumstances (13 - 13.2)
 9. Stronger statements have been included on misrepresentation, making false statements and withholding information (15-15.3)
 10. Letters are no longer sent to applicants advising them of the need to renew their application. They are expected to be actively bidding if they are on the register and will be prompted to renew when they log on. Special arrangements are in place for older and disabled applicants who are unable to access the system on-line (16-16.1)
 11. Banding changes (22 - 22.6)
 - a. Priority need homelessness prevention has been added to Band 1
 - b. Right to Move applicants and non-priority homelessness prevention have been added to Band 2
 - c. Armed forces personnel without a local connection have been moved into Band 3 (to comply with legislation)
 - d. Owner-occupiers have been removed from Band 4 (if accepted onto the register they will be banded according to their housing need)
 - e. Band X has been added for applicants who
 - i. have a local connection to an exception site but do not meet the district connection criteria
 - ii. are not eligible to join the housing register but could bid for Homes Direct properties in other areas
 12. Information on affordability now includes rent in advance requirements and further housing benefit restrictions (27 - 27.1)
 13. Shortlisting procedures have been added (35 - 35.1)
 14. Provisions to enable Registered Providers to reject an applicant (subject to agreement with the council) have been included (39 - 39.1)
 15. The section on medical and social needs assessments has been substantially strengthened to ensure that cases are dealt with fairly, that exceptional circumstances are taken into account, and that best use is made of the stock (41 - 46.1). Where an applicant has been awarded a banding due to a requirement for a specific type of property due to a medical condition (e.g. ground floor), they can only bid for that type of property. Applicants will be expected to provide any documentary evidence required at their own expense (e.g. doctor's letters).

3.0 Consultation

- 3.1 If approved for consultation, the policy will be sent out to a wide range of key stakeholder organisations including:
 - Registered Providers
 - Neighbouring local authorities
 - The council's Homelessness Forum
 - Other key organisations such as support providers and the voluntary sector.

In addition, the policy will be placed onto the council's website to enable public consultation.

- 3.2 The consultation period will last approximately 2 months. All of the comments and views will then be incorporated to create a final version of the policy. Any implications of the Homelessness Reduction Bill (currently going through Parliament) and of further welfare reform will also be incorporated into the draft policy. This will then be brought back before this Committee in March 2017 for consideration. It is anticipated that once the necessary IT changes have been implemented the new policy should be in force from 1st July 2017.

4.0 Equality and Diversity Implications

- 4.1 An initial Equality Impact Assessment was carried out, which identified one or more negative equality and diversity implications. A full Equality Impact Assessment was then carried out. The assessment indicated a negative impact for older people. Older home owners will no longer be automatically entitled to register for housing if the new policy is approved. They would be treated the same as all home owners and would have their relative needs for affordable housing assessed in relation to their ability to solve their own housing need in the private market. Procedures will therefore be put in place to ensure that older home owners who are assessed as being in need of affordable housing will still qualify, and may even have more chance to be rehoused, as available properties will not be allocated to those who are not in need of affordable housing. The needs of older people for specialist and/or adapted accommodation and the relative availability and costs of this will also be taken into consideration as part of the needs assessment. The full Equality Impact Assessment is attached to this report (Appendix 2) and should be considered by committee before reaching a decision.

- 4.2 Some positive impacts will also result from the policy change:
- The fair and transparent allocation of affordable housing will minimise socio-economic exclusion by ensuring homeless people and those in inadequate or poor quality housing, as well as those who cannot afford market housing, are provided with safe and affordable accommodation
 - The medical needs provisions have been strengthened to ensure that anyone with medical needs or a disability will have their needs fully assessed and be able to apply for property suited to their needs
 - 16 and 17 year old homeless young people and those leaving care will be dealt with under strengthened protocol arrangements with Northamptonshire County Council Children's Services
 - Better explanation of the criteria surrounding the allocation of properties on rural exception sites will assist people in the rural areas to access affordable housing.

- 4.3 The potential negative impact for older people will form part of the consultation exercise on the policy.

5.0 Legal Implications

- 5.1 All local authorities are required to have a Housing Allocation Policy in place.

6.0 Risk Management

- 6.1 There are a number of risks which have been identified which are relevant to the review of the Housing Allocation Policy as follows:
- PLN 012 Fraudulent homeless and housing register applications
 - PLN 013 Increase in appeals against homelessness and housing register decisions

- PLN 014 Increase in homeless applications
- PLN 015 Failure to process housing/homelessness applications on time and correctly
- PLN 016 Cessation of the council's Choice Based Lettings Scheme

6.2 It is considered that these risks will be mitigated in varying degrees as a result of the review of the Housing Allocation Policy. By updating the policy to make best use of the housing stock, it will ensure that the Choice Based Lettings Scheme remains fit for purpose and continue to be part of the council's homelessness prevention toolkit. A clear and up to date policy will ensure that housing and homelessness applications are dealt with on time and in accordance with policy and legislation, homelessness applications and appeals against decisions will be minimised. Strengthened fraud statements will reduce fraudulent applications.

7.0 Resource and Financial Implications

7.1 The Choice Based Lettings Scheme will continue to be operated by the council's contractor, Midland Heart, under the brand name Homes Direct. The scheme is overseen by the council's Housing Services Team and the changes to the policy will be incorporated within existing staffing resources.

7.2 There will, however, be some one-off costs involved as a result of necessary changes to the on-line housing register system to take account of the policy amendments. These have been estimated at around £10,000. As this is a one-off cost, it is suggested that the most appropriate source of funding would be from reserves. However, it is anticipated that there may be up to £1,500 available within the current budget that could be used to contribute towards this cost. Full details will be included in a further report to this committee following the consultation period and once any further legislative requirements have been identified.

8.0 Constitutional Implications

8.1 There are no constitutional implications arising from the revised policy.

9.0 Customer Service Implications

9.1 Changes to the Housing Allocations Policy will have some impacts on applicants, and in particular on older home owners. Consultation will be carried out as detailed at section 3 above and, once finalised, the changes to the policy will be publicised on both the council and Homes Direct websites.

10.0 Corporate Outcomes

10.1 The following Corporate Outcomes will be achieved:

- Good Quality of Life – the fair allocation of affordable housing will improve the quality of life for those in housing need
- Good Value for Money – an updated allocation policy will ensure value for money in terms of the delivery of the housing options contract and ensure best use of the affordable housing stock in the district
- Effective Partnership Working –an updated allocation policy will ensure better partnership working with Registered Providers
- High Quality Service Delivery – an updated allocation policy will improve service delivery.

11.0 Recommendation

11.1 The Committee is recommended to:

1. Carefully consider the Equality Implications relating to this report (see section 4 of the report).
2. Approve the Draft Housing Allocation Policy 2017 for full consultation

(Reason – To accord with legislation and to ensure the fair allocation of affordable housing.)

Legal	Power: Housing Act 1996 Homelessness Act 2002 Localism Act 2011 Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015				
	Other considerations: Allocation of Accommodation Code of Guidance for Local Housing Authorities 2002 Homelessness Code of Guidance for Local Authorities 2006 Supplementary Guidance on the Homelessness Changes in the Localism Act 2011 and on the Homelessness (Suitability of Accommodation) (England) Order 2012				
Background Papers:					
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Date: 17th November 2016					
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