

Policy Development and Review Committee	Agenda Item: 4
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Meeting Date	28 th October 2015
Report Title	Housing Allocations Policy Review
Cabinet Member	Cllr John Wright
SMT Lead	Pete Raine
Head of Service	Amber Christou
Lead Officer	Rebecca Walker
Recommendations	1. To note the outcome of the review of the Allocation policy and make any recommendations as necessary.

1 Purpose of Report and Executive Summary

- 1.1 The Housing Allocations Policy has been in place since April 2014, and a review of the impact of the changes to the allocation of social housing during this period is good practice.
- 1.2 It is a statutory obligation under Part VI of the Housing Act, 1996 for all local housing authorities to have an adopted, published Housing Allocations Policy, setting out how it will assess the individual household need and requirements for social housing in the area and how those homes are allocated.
- 1.3 This report outlines the findings of the first year review and the impact of the changes made to allocations in Swale following the amendments to relevant legislation set out in the Localism Act 2011.
- 1.4 The significant changes were the implementation of new eligibility criteria including:
- Residency
 - Affordability
 - Homelessness
 - Fraud Offences
 - Rent arrears
 - Housing need
- 1.5 The policy amendment that has made the most impact is the new Residency Qualification requiring residents to have lived in Swale for four of the past five years. In addition, many homeless households are now no longer eligible to join the register and therefore 'bid' for social housing.

- 1.6 There have also been a large number of applicants removed from the register or refused due to having no housing need, in relation to the policy requirement.
- 1.7 Removing applicants from the register has led to a large number of appeals, and we have also seen an increase in MP enquires, mainly for the same reason.
- 1.8 The Housing register currently has 1342 live applications including 490 transfer applicants.
- 1.9 In the year 2014 to 2015 there were 572 homes let, including new build, comprising 86 x 1 beds, 199 x 2 beds, 147 x 3beds, 6 x 4+ beds and 134 Sheltered flats.

2 Background

- 2.1 The Housing Allocations Policy was developed in accordance with the Government guidance for local housing authorities, which was published in June 2012. This new guidance is aimed at assisting Local Authorities to take advantage of the provisions in the Localism Act 2011.
- 2.2 This legislation encourages authorities to make use of the new flexibilities to ensure that social homes go to people with the greatest need.
- 2.3 In addition, two new Statutory Regulations have also been implemented:
 - 2.3.1 Armed Forces Personnel and their bereaved spouses with an urgent housing need must now be awarded additional preference if they have an illness, injury or disability which is attributable to their service. It is unlawful to apply a 'residency criteria' to these applicants. In addition those Armed Forces Personnel with no urgent housing need have also been included on the register but not awarded additional preference.
 - 2.3.2 Right to Move regulations mean that social tenants relocating for work will be given greater priority under the 'reasonable preference' system. Councils must extend the 'hardship' criteria to include those moving for work
- 2.4 To date there has been no applications made under the Armed Forces regulation and two applications accepted under the Right to Move regulation.
- 2.5 The impact of each specific change to 20th September 2015 is detailed at table one below:

Policy Change	Impact
Residency: Households must have lived within the Swale boundaries for 4 out of the last 5 years prior to the application being	638 applicants have been removed from the register. 194 applications classed as not having the required residency connection out

<p>made. Residency in Swale must be by the applicant's own choice.</p>	<p>have been refused entry onto the register since April 2014.</p> <p>300+ appeals against refusal have been submitted since April 2014.</p> <p>30+ MP enquiries received since April 2014, mostly regarding refusals.</p>						
<p>Affordability:</p> <p>Applicants that have gross income of greater £35,000 or assets greater than £50,000 will not qualify:</p>	<p>14 applicants have been removed from the register due to the affordability criteria.</p> <p>1 application refused due to the affordability criteria.</p>						
<p>Fraud:</p> <p>Applicants who have been cautioned or convicted of housing or welfare benefits related fraud where that conviction is unspent under the Rehabilitation of Offenders Act 1974. Any person may re-apply once this conviction is spent.</p>	<p>0 applicants have been removed from the register</p> <p>0 applications received but have a fraud conviction.</p>						
<p>Rent arrears:</p> <p>Applicants who owe arrears of rent or other accommodation charges to the Council, or any social or private landlord.</p>	<p>18 applicants have been removed from the register</p> <p>12 applications received but have rent arrears</p>						
<p>Homelessness:</p> <p>Homeless cases accepted as Full Duty (Band C)</p>	<p>Currently 19 applications in Band C - Homeless Full Duty</p> <p>2 applicants Band D Intentionally homeless</p> <p>Placing statutory homeless H/H in a lower band on the housing register does not appear to have impacted on the length of stay in temporary accommodation, however there is an increase in the number of homeless applications for 2014/15 at 271 when compared with previous years:</p> <table data-bbox="873 1770 1076 1875"> <tr> <td>2014/15</td> <td>271</td> </tr> <tr> <td>2013/14</td> <td>217</td> </tr> <tr> <td>2012/13</td> <td>180</td> </tr> </table>	2014/15	271	2013/14	217	2012/13	180
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2012/13	180						
<p>Housing Need:</p>	<p>There have been 606 new applicants</p>						

Applicants that are eligible and qualify must also have a housing need that fits into the criteria within one of the four bands.	considered to have no housing need.
<p>Right to Move regulations (April 2015):</p> <p>Social tenants relocating for work will be given greater priority under the 'reasonable preference' system. Councils will have to extend the 'hardship' criteria to include those moving for work</p>	<p>12 applicants who did not qualify have now been invited for reassessment under this new rule</p> <p>2 have been included on the register and a third one is pending</p>
Applications from Mobile and Holiday Home occupants	<p>23 applications state they live in a caravan or mobile home:</p> <p>Band B = 6 (4 x major overcrowding and 2 x unsatisfactory housing conditions).</p> <p>Band C = 17 (10 x medical, disability, welfare grounds and 7 x minor overcrowding).</p>
Applicants who have Deliberately Worsened Their Circumstances	0 applicants identified as having 'deliberately worsening circumstances'
Care leavers	<p>There are currently 6 applications on the HR:</p> <p>Band B = 3</p> <p>Band C = 3</p> <p>Currently any KCC Placements are put to panel if living in Swale at the time of applying</p>
Supported Housing	There are 56 applicants currently in Band B 'Ready to move on from accredited supported housing schemes within Swale'.
<p>Refusals</p> <p>Non-homeless applicants will be entitled to refuse three suitable offers of accommodation before being removed from the register. Applicants will be able to re-apply in 12 months.</p>	112 refusals between 10 th Feb – 10 th Aug.

3 Proposals

- 3.1 To note the outcome of the review of the Allocation policy and make any recommendations as necessary.

4 Alternative Options

- 4.1 There are no alternative options.

5 Consultation Undertaken or Proposed

- 5.1 No consultation has been undertaken for this annual review.

6 Implications

Issue	Implications
Corporate Plan	The Allocations Policy addresses all Corporate Plan priorities, but particularly supports the themes of a 'Community to be proud of' and a 'Council to be proud of'. The review process allows for flexibility and the implementation of any changes that may be required throughout the year to ensure the policy remains flexible, relevant and reflective of local need.
Financial, Resource and Property	The Allocations Policy review may incur a minimal cost associated with ICT enhancement in order to implement any recommended changes to the policy. Any cost associated with this will be met from the existing revenue budget and is not recurring. Staff resources remain and continue to be minimised by the introduction of the on line application. Any changes made from this review can be implemented using existing resources.
Legal and Statutory	<p>The publication of an allocations policy is a legal requirement and must take account of all statutory guidelines:</p> <ul style="list-style-type: none">▪ The Council's legal obligations regarding the allocations policy are contained in the Housing Act 1996 (as amended) Part VI of the Housing Act as amended by the Localism Act 2011▪ Statutory Instrument; The Allocation of Housing (Qualification Criteria for Armed Forces Personnel) (England) Regulations 2012 http://www.communities.gov.uk/documents/housing/pdf/2060709.pdf▪ Statutory Instrument; The Housing Act 1996 (Additional Preference for Former Armed Forces Personnel) (England) Regulations 2012 http://www.communities.gov.uk/documents/housing/pdf/2060715.pdf

	<ul style="list-style-type: none"> Right to Move: Statutory guidance on social housing allocations for local housing authorities in England https://www.gov.uk/government/publications/right-to-move-statutory-guidance-on-social-housing-allocations-for-local-housing-authorities-in-england
Crime and Disorder	The allocations policy promotes balanced and sustainable communities which will have a positive impact on crime and disorder.
Sustainability	The allocations policy will have a positive impact on the creation of sustainable neighbourhoods and promotes choice within the community.
Health and Wellbeing	The allocations policy will have a positive impact of the health and well being of those requiring affordable and sustainable housing in the Borough, taking account of the specific needs of each applicant and their household members.
Risk Management and Health and Safety	There are no identified risks or health and safety implications associated with the allocations policy.
Equality and Diversity	Decision-makers are reminded of the duty under the Equality Act 2010 to have due regard when making decisions to the need to eliminate unlawful discrimination, advance equality of opportunity and foster good relations between different groups. There is a statutory requirement to take account of the needs of those applying to join the housing register, however this is an operational process only and therefore does not impact on the strategic review decision. With this in mind, a community impact assessment has not been completed for the review.

7 Appendices

7.1 There are no appendices

8 Background Papers

8.1 Swale Housing Allocations Policy