

BRECKLAND DISTRICT COUNCIL

Report of: Cllr Charles Carter Executive Member for Growth

To: Cabinet: 22 September 2015

Author: Tim Mills Interim Housing Manager

Subject: Housing Allocations Policy

Purpose: To approve the revised Allocations Policy for consultation. To align the Allocations Policy to the corporate priority of enabling stronger more independent communities

Recommendation(s):

- 1) That the revised Allocations Policy be approved for consultation
- 2) That prior approval be given that should the Government bring forward a proposal to grant a mandatory additional preference to applicants under "Right to Move" that it can be incorporated without a further Cabinet report
- 3) That the policy be subject to partner and public consultation for 28 days

1.0 BACKGROUND

- 1.1 Breckland council's current Allocations Policy was adopted in November 2012. Since then there have been legislative changes that require additions and alterations to the policy.
- 1.2 The opportunity has also been taken to clarify a number of areas to aid Options Officers to adopt a more flexible approach in the interests of meeting customers' specific needs and the efficient use of the housing stock.
 - 1.2.1 These clarifications are:
 - a) the ability to take into account mitigation of behaviour that has led to exclusion or refusal of accommodation in the past;
 - b) circumstances where someone has been excluded from accommodation but is deemed to be at risk if not accommodated;
 - c) to be able take into account a combination of medium housing needs to be able to qualify for Gold band;
 - d) to place young people directly into Gold band where they are being rehomed as part of a care plan or a household containing a child or young person where another Authority has requested assistance under the Children's Act;
 - e) Applicants for whom another Authority has requested assistance under the Care Act 2014 and where a Housing Options officer considers that assistance to be appropriate;
 - f) to place applicants directly into silver band where they have significant, but not overriding medical needs;
 - g) to dispense with the requirement for a local connection where the applicant needs to relocate to escape violence or harm;
 - h) to depart from the need for a local connection where there are a limited number or an absence of suitable applicants for specialised housing such as sheltered accommodation and the accommodation would otherwise be unused; or where an applicant can show a close geographical, social or community engagement to a

community within Breckland; or where the applicant can demonstrate a strong welfare or medical ground to move to accommodation within Breckland. This reflects Government guidance;

- i) Clarify priority given for poor physical housing conditions where statutory provision exists to remedy them.
- j) The ability for Registered Providers, in specific circumstances and with the agreement of the Council to make direct or sensitive lettings;
- k) To prioritise applicants with an appropriate disability for an adapted property;
- l) To reduce priority where customers are continuing to not bid for suitable properties;
- m) To clarifying that applications can be cancelled where customers are not bidding for six months without reason;
- n) To enable allocations outside of bedroom need in particular circumstances.

2.0 **OPTIONS**

2.1 Legislative changes have to be reflected in the Allocations Policy.

3.0 **REASONS FOR RECOMMENDATION(S)**

- 3.1 It is necessary to include legislative changes into the Allocations Policy particularly those concerning the prioritisation of applications from ex-forces personnel and dependants in certain circumstances and the exceptions to the local connection criteria under "Right to Move". The government has recommended that authorities consider setting a quota for these moves and that if this is below 1% that they must justify their decision. Officers have considered whether a quota would be appropriate. They are not recommending the setting of a quota at present as they do not believe that sufficient monitoring information is available to make an informed decision. They propose to review this situation once twelve months of data from the new Choice Based Lettings system is available.
- 3.2 As well as relaxing the need to have an absolute local connection where an applicant has an offer of employment within Breckland in certain circumstances the Government has stated that it is mindful to grant a mandatory additional preference to such applicants. If it does so that change will have to be incorporated within the Allocations Policy so giving prior approval now will allow the change to be made with minimum bureaucracy.
- 3.3 Clarification has been given to special circumstances that may be taken into account to allow the allocation of housing to applicants not strictly meeting the local connection where otherwise certain stock may remain empty. An example would be sheltered housing. Furthermore there are circumstances where an applicant may not be able to demonstrate a local connection directly but that may need to receive care from someone who can and there are strong welfare grounds for that person being in Breckland. Clarification has also been given to circumstances where a person may have to relocate due to grounds of personal safety such as fleeing domestic violence, (such arrangements are reciprocal between Housing Authorities).
- 3.4 While the changes proposed are either driven by legislation or minor there is still a requirement to consult with Registered Providers of social housing in the District. A large scale public consultation would appear to be unnecessary given that there are minimal optional changes proposed and the cost would be disproportionate. However it is proposed to make available the report and policy on the website and in our one stops shops and provide the opportunity for comment at the same time as the consultation with Registered Providers.

4.0 **EXPECTED BENEFITS**

4.1 This will ensure that the Allocations Policy fully complies with all legal requirements, enables customers' specific needs to be met better and ensures a more efficient use of available housing stock is made.

5.0 **IMPLICATIONS**

5.1 **Carbon Footprint / Environmental Issues**

5.1.1 It is the opinion of the Report Author that there are no implications.

5.2 **Constitution & Legal**

5.2.1 Inclusion of the relevant clauses will ensure full compliance with legislative provision

5.3 **Contracts**

5.3.1 It is the opinion of the Report Author that there are no implications.

5.4 **Corporate Priorities**

5.4.1 Adoption of the new policy aligns with the corporate policy of enabling stronger more independent communities

5.5 **Crime and Disorder**

5.5.1 It is the opinion of the Report Author that there are no implications

5.6 **Equality and Diversity / Human Rights**

5.6.1 Adoption of the policy will ensure full compliance with equalities and diversity legislation and that housing is allocated in an equitable and transparent manner

5.7 **Financial**

5.7.1 It is the opinion of the Report Author that there are no implications.

5.8 **Health & Wellbeing**

5.8.1 The change to create a silver category for medical need allows a more graduated approach to assessing need. The changes to allocation of adapted property will ensure that allocations are matched more effectively to need.

5.9 **Risk Management**

5.9.1 The changes to the Allocation Policy ensure the authority can properly meet obligations under the Children and Care Acts and is fully compliant with legislation.

5.10 **Safeguarding**

5.10.1 The changes to the Allocation Policy ensure the authority can meet obligations under the Children and Care Acts

5.11 **Staffing**

5.11.1 It is the opinion of the Report Author that there are no implications.

5.12 **Stakeholders / Consultation / Timescales**

5.12.1 There is a requirement to consult with registered Providers of social housing for a minimum of 28 days. It is proposed to carry out a website based limited public consultation and make available the revised policy in the One Stop Shops over the same time frame as the changes are either mandatory or minimal to the current Allocations Policy.

6.0 **WARDS/COMMUNITIES AFFECTED**

6.1 All

7.0 **ACRONYMS**

7.1 None

Background papers:- Allocations Policy

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Director / Officer who will be attending the Meeting Tim Mills Interim Housing Manager:

Key Decision: Yes

Exempt Decision: No

Appendices attached to this report:

Allocations Policy