

NEW HOUSING ALLOCATION POLICY

1. INTRODUCTION

- 1.1 The Council is responsible for the allocation of all social housing accommodation in the District (including Council properties and those owned by registered providers of social housing). Under the Housing Act 1996 (“the Act”), the Council has a duty to publish an allocation scheme that sets out how applications for social housing will be assessed, processed and decisions made.
- 1.2 The current allocation policy was adopted in November 2012.
- 1.3 As the Council last updated its allocation policy in 2012, a review of the policy has been undertaken. The Council needs to ensure its housing allocation policy adequately reflects the prevailing housing conditions in its district in order to make the most effective use of social housing that becomes available for allocation.
- 1.4 Further, in accordance with the Secretary of State’s guidance, the Council needs to review its allocation policy to take into account of the new duties to homeless households brought in by the Homelessness Reduction Act 2017.
- 1.5 This report sets out the proposed changes to the Council’s housing allocation policy following this review.

2. BACKGROUND

- 2.1 The Act as amended by the Homelessness Act 2002 and the Localism Act 2011, states that when drafting an allocations scheme, the Council must give reasonable preference to people with high levels of assessed housing need. The Act has determined that the following class of individuals should be given a reasonable preference, people who:
 - are homeless (within the meaning of Part VII of the Act). This will include those who have been found to be homeless but not in priority need, who are owed the “Relief Duty” and who have been found to be intentionally homeless;
 - those to whom the Council is providing accommodation under the Act or to whom the Council owes the “Prevention Duty” under the Act;
 - are occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions;
 - need to move on medical or welfare grounds (including any grounds relating to disability); and
 - need to move to a particular locality of the district of the authority, where failure to meet that need would cause hardship (to themselves or others).
- 2.2 This group is collectively known as the “Reasonable Preference Group”.
- 2.3 The Act also allows the Council to set its own qualifying criteria; including criteria related to local connection and behaviour in order to determine who should be considered for an allocation of housing.

2.4 The Current Allocation Policy:

2.4.1 The current policy has 4 bands:

- Band 1: High Priority (Urgent)
- Band 2: High Priority
- Band 3: Priority
- Band 4: No Priority

2.4.2 All applicants save for exceptional cases are placed in Band 3: Priority. The only determining factor thereafter is the length of time the applicant has been on the housing register¹.

Bands	Number of Households
Band 1: High Priority (Urgent)	24
Band 2: High Priority	51
Band 3: Priority	3,120
Band 4: No Priority	207

2.4.3 10 out of 11 applicants on the Council's housing register are in Band 3: Priority. On average there are 300 properties per year that become available for allocation; applicants can wait up to 10 years for an allocation of housing. The current policy does not adequately allow for the allocation of housing on the basis of need. Furthermore, it does not take into account that there are certain groups that the Council has a statutory responsibility for securing accommodation, for example, statutory homeless applicants who are owed the full housing duty.

2.4.4 The proposed changes to New Forest District Council's allocation policy have been developed with regard to the new duties introduced by the Homelessness Reduction Act 2017, but have also been influenced by:

- the prevailing housing needs and conditions within the Council's district;
- the results of the work of the Homelessness Task and Finish Group and the Housing Overview and Scrutiny Panel;
- the desire to ensure that applicants on the Council's housing register are being given appropriate priority to enable the Council to make the most effective use of limited social housing within the District.

3. THE DRAFT NEW ALLOCATION POLICY

3.1 A draft of the Council's new allocation policy is attached as Appendix 1:

¹ As at the 13 September 2018

3.2 The key changes to the policy are:

(a) Banding:

The new allocation policy will have 4 new Bands; these will now reflect housing need and clear criteria will be attached to each Band. A summary of the new Bandings is below:

Band 1: Emergency Need for Housing - Urgent health needs; - Property in dangerous state; - Risk of violence
Band 2: Serious Need for Housing - Full homelessness duty; - Under occupying by 2 bedrooms and severely overcrowded; - High health needs
Band 3: Need for Housing - Medium health needs; - Under occupying by 1 bedroom and overcrowded; - Other homeless cases (i.e. not owed full homelessness duty); - Military
Band 4: Lower Need for Housing - Lower health needs; - Sharing and lacking facilities; - Assured shorthold tenants

(b) Qualifying and Non-Qualifying Criteria:

Applicants will still need to be aged 16 or over and to have a local connection as defined under the current policy, but will also need to:

- have a housing need; in that their need for housing falls within one of the Council's Bands;
- be assessed as lacking the financial means to resolve their housing need;

Applicants who do not satisfy the above criteria will not qualify to join the housing register; further any applicant who falls within any of the categories below will be classed as non-qualifying to join the housing register:

- owner-occupiers (with the exception of those with a housing and assessed care need and who have a need for extra care or sheltered accommodation);
- those who have deliberately worsened their circumstances to enable them to qualify onto the register; or
- those that are deemed to be guilty of unacceptable behaviour that is serious enough to make them unsuitable as tenants.

(c) Bedroom Need Assessment:

The number of bedrooms that an applicant will be eligible for will be set in line with the current regulations covering bedroom entitlement for the purposes of local housing allowance.

This will avoid issues relating to affordability and also with partner landlords who set their bedroom entitlement with reference to the current regulations.

(d) Suspension and Removal:

For the effective management of applications on the housing register, circumstances where applications will be suspended or removed have been clearly set out in the allocation policy.

- 3.3 The provisions relating to Rural Parishes will remain unchanged as it is considered necessary to prioritise those who have a local connection to a Rural Parish for an allocation of accommodation in those areas.
- 3.4 In addition to the main proposed changes above, a number of minor amendments have been made to provide greater detail and guidance to allocation officers working under the new allocations policy, so that there is consistency of approach and clarity when decisions are being made on individual cases.

4. PROCESS TO CHANGING THE ALLOCATION POLICY

- 4.1 As a matter of law, the Council needs to consult on any changes to the Allocation Policy. It is intended that the proposed Allocation Policy is published on the Council's website for four weeks and existing applicants and private registered providers of social housing operating in our District are made aware of the consultation.
- 4.2 Responses to the consultation will be reported to Cabinet and Council in April 2019.

5. DELEGATIONS

- 5.1 Section 7.1 of the new proposed policy sets out who will make decisions under the proposed Allocation Policy.

6. CONCLUSIONS

- 6.1 The Council's new housing allocation policy will assist the Council in ensuring the most effective use of social housing within its district by allocating housing with reference to housing need.

7. FINANCIAL IMPLICATIONS

- 7.1 In order to better manage the allocation of social housing, the Council will be procuring a new case management system to replace what is currently largely a paper based system. This will result in more efficient working, quicker allocations and a corresponding reduction in rent loss as properties will be let faster. The costs are likely to be in the region of £35,000 for year 1 and £8,000 ongoing annually thereafter and are likely to be met from existing budgets (but this will be kept under review).

8. CRIME & DISORDER IMPLICATIONS

- 8.1 The proposed Allocation Policy aims to promote good tenancy management by tenants and prospective tenants to assist in tackling anti-social behaviour.

9. ENVIRONMENTAL IMPLICATIONS

- 9.1 There are none.

10. EQUALITY & DIVERSITY IMPLICATIONS

- 10.1 Please refer to Appendix 2: Equality Analysis.

11. PORTFOLIO HOLDER COMMENTS

- 11.1 Through my work as Portfolio Holder and leading the Homelessness Task & Finish Group I have acknowledged the growing demand for Social Housing in our area. However the number of lettings is falling each year. I have seen first-hand how vulnerable households are affected by the waiting times for our housing and I firmly believe it is the right time to make these changes to our allocations policy to make the best use of our housing stock and to recognise real housing need in our district. Our new strategic approach to tackling housing and homelessness issues calls for this review and I welcome the proposed new Allocation Policy which aims to address how households in the New Forest are prioritised in future.

12. HOUSING OVERVIEW AND SCRUTINY PANEL'S COMMENTS

- 12.1 The Panel considered the draft Housing Allocation Policy. The Panel endorsed the revised Allocation Policy and were fully supportive of the proposed new housing bands, which they felt would enable the scarce housing resources to be allocated to those most in housing need. It was acknowledged that the proposed policy was both fairer and clearer and recognised that the allocation of housing should be based on need rather than the length of time spent on the housing register. The Panel praised the hard work of officers for the production of a comprehensive document.

13. RECOMMENDATIONS

- 13.1 That it be a recommendation to Council that the Housing Allocation Policy as attached as Appendix 1 to this report be approved for consultation.

For further information contact:

Grainne O'Rourke
Executive Head of Governance and Regulation
Email: grainne.orourke@nfdc.gov.uk
Tel: 023 8028 5588

Dambu Tenner
Solicitor
Email: dambu.tenner@nfdc.gov.uk
Tel: 023 8028 5588

Richard Knott
Service Manager – Housing Options
Email: richard.knott@nfdc.gov.uk
Tel: 023 8028 5588

Background Papers

Published documents