

# STRATEGIC HOUSING BOARD

10 July 2019

## CABINET

25 July 2019

### DRAFT HOUSING ALLOCATIONS' POLICY JULY 2019

#### 1. Summary

- 1.1. The Housing Allocations' Policy was adopted by the General Assembly of the Council on 18 March 2013 as the Council's framework for the allocation and management of future tenancies from 29 April 2013. Subsequent reviews of the Policy were carried out in March 2014 and September 2018.
- 1.2. In order to ensure a consistent approach, a further review of the Policy has been undertaken and changes made, where appropriate, to reflect new legislation and operational methods.
- 1.3. This report sets out the revisions to the Policy.

#### 2. RECOMMENDATIONS

- 2.1. That the Strategic Housing Board note the contents of this report and recommend accordingly to Cabinet.
- 2.2. That Cabinet agree the amendments to the Housing Allocations' Policy as set out in the body of the report and approve the revised Policy, attached at Appendix A.

#### 3. Background and Discussion

- 3.1 The Housing Allocations' Policy was adopted by the General Assembly of the Council on 18 March 2013 as the Council's framework for the allocation and management of future tenancies from 29 April 2013 [Min. No.xx]. Subsequent reviews of the Policy were carried out and approved by Cabinet in March 2014 and September 2018 [Min.Nos.xxx].
- 3.2 All local authorities with responsibility for housing are required by law to produce a Housing Allocations' Policy, which sets out how social housing properties will be allocated to eligible applicants in housing need.
- 3.3 In order to ensure a consistent approach, a further review of the Policy has been undertaken and amendments made, where appropriate, to reflect operational changes (including working practices) following the implementation of the Homelessness Reduction Act 2017 (HRA 2017).
- 3.4 The Policy must adhere to a legal framework outlined in part 6 of the Housing Act 1996 and the HRA 2017. The implications of the HRA 2017 for homelessness is fully detailed in the Homeless and Rough Sleeper Strategy 2019, which will be presented to Cabinet at the same time as this report.

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### 3.6. Proposed policy amendments:

- a) **3.11.** - Homeowners to include any person on the application and only eligible if they do not exceed the financial threshold set out in the Council's Tenancy Policy.
- b) **4.11.** - Suspension from the Housing Register. Applicants may be suspended from the housing register for reasons including, but not limited to:
- Owing debt to the Council or social housing provider that has accumulated whilst on the Register
  - A change of circumstances affecting eligibility
  - A request for a review of the suitability of accommodation has been made
  - Other discretionary reasons as agreed by the Head of Housing

Applicants will be suspended for a maximum of two years before they are removed from the register.

- c) **4.12.** - Evidence now required for applicants needing to move to Dartford to avoid hardship to themselves or others.
- d) **4.13.** - Local connection may be awarded in exceptional circumstances, to council tenants that have lived in the borough for less than two years. This may apply to applicants who are homeless where the Council had a duty to house, mutual exchanges into the borough or reciprocal lettings from another authority. Although it will only apply to a very small number of case, some tenant's circumstances can change, for example they may have lost family members and be under occupying the council property. In which case it is in the Council's interest to move them to a smaller property to free up a larger family property. Other reasons may be that the tenant's medical circumstances have changed and they are in serious need of rehousing in the borough.
- e) **4.21.** - Scheme accommodation for those aged 55 and over to include whether the applicant's needs can be met by the accommodation.
- f) **5.9.** – Provides clarification on when one offer only will be made.
- g) **5.11.** - Inclusion of paragraph on the process of auto bidding on a property.
- h) **5.24.** Applicants may be offered on line tenancy training to assist in maintaining their new tenancy.
- i) **6.** New section on homeless applicants banding and offers. Applicants will be given reasonable preference but have reduced priority unless they:
- Move on from a range of accommodation where the Council has discharged its functions under the HRA 2017 and where this has been identified and confirmed in the applicant's Personalised Housing Plan or;

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- Where discretion has been given to applicants under the HRA 2017 where it has been determined that access to affordable housing is the only/most appropriate solution and where applicants are likely to be in priority need.
- This section also includes information on refusals of an offer of suitable accommodation and procedures for appeals against the suitability of the accommodation, including for homeless households (see 6.6 – 6.9)

- j) **Annex 1 Band A** - Urgent medical needs now include applicants suffering from severe and enduring mental health issues significantly affected by their current accommodation.
- k) **Annex 1 – Band B** - To delete 'Category 1 hazard' and replace with 'Property is in disrepair, as agreed by the Council'. This is to ensure that all potential hazards are considered, including those that may not fall into category 1.
- l) **Annex 1 - Band B** - Changed to 'Medium' medical needs rather than 'serious' to reflect banding level. Applicants with a reasonable preference for whom a band C medical award applies but where the medical issues are more serious in nature but not as high as band A. Band B medical cases will also apply where multiple Band C medical conditions combine to create an overall greater need.
- m) **Annex 1 Band C** - Mental health issues affected by current accommodation does not now include 'severe' as band C is a low medical need. See (l) above.
- n) **Annex 2** - Medical and welfare needs is now a separate Annex.
- o) **Annex 4 – Community Contribution**. Further evidence required to prove volunteering status.
- p) **Annex 4 – Community Contribution**. New criteria for armed service personnel to include mental health as a disability following government guidance on the allocation of accommodation. Also, persons who have formerly served in the armed forces are eligible, where their application is made within ten years of discharge, increased from five years.

3.7. The general layout of the Allocations' Policy 2019 has also been revised to ensure ease of reading and transparency. This means that some sections have been moved or incorporated into other sections and obvious repetitions removed.

#### 4. Relationship to the Corporate Plan

This report relates to the Corporate Plan aim 'To facilitate quality, choice and diversity in the housing market, to create strong and self-reliant communities and deliver high quality services to service users'

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5. Financial, legal, staffing and other administrative implications and risk assessments

Financial Implications	None as a result of this report.
Legal Implications	Councils have a statutory duty to prepare and publish a Housing Allocations' Policy. The Policy must adhere to a legal framework outlined in part 6 of the 1996 Housing Act and the HRA 2017.
Staffing Implications	None
Administrative Implications	None
Risk Assessment	No uncertainties and/or constraints

6. Details of Exempt Information Category

Not applicable

7. Appendices

Appendix A – Draft Housing Allocations' Policy 2019

### BACKGROUND PAPERS

<u>Documents consulted</u>	<u>Date / File Ref</u>	<u>Report Authors</u>	<u>Section and Directorate</u>	<u>Exempt Information Category</u>
	N/A	Jackie Pye x3683	Housing Services Strategic (Ext)	N/A