

**Report of the Head of Planning and Local Development**

**HOUSING ALLOCATION POLICY**

**1 Purpose of report**

- 1.1 The purpose of the report is to propose amendments to the Policy following implementation of the Housing Allocation Policy 2012 in April 2012.
- 1.2 This report relates to the achievement of the following PRIDE objectives of reducing crime and anti-social behaviour, improving life chances for young people, delivering efficient and responsive services and enhancing the environment.

**2 Executive summary**

- 2.1 The Housing Allocations Policy was implemented on April 2013 with the ICT changes taking place in June 2013. Following operation for 8 months this report requests approval for amendments and further detail to be included within the Policy to provide clarity.

**3 Appendices**

Appendix One – Housing Allocation Policy amendments

**4 Proposed action:**

- 4.1 The Committee RESOLVES to approve the amendments to the Housing Allocations Policy with effect from 1 January 2014 as appended.**

**5 Background**

- 5.1 At Community Committee on 22 October 2012, it was resolved that changes to the Housing Allocations Policy be implemented from 1 April 2013.
- 5.2 In order to fully apply these changes, and in line with the implementation of the changes to the IT system, the Housing Register was closed in June 2013 and all applicants had to reapply to join the Housing Register in line with the new Allocation Policy.

## **6 Discussion**

6.1 In the assessment of applications under the new Allocation Policy, it has become clear that some additional detail is needed in certain aspects of the policy in order to be transparent in the way that applications are assessed. This will bring into line the procedural process with the detail in the Policy. These changes are as follows: -

### **6.2 Who can Join the Housing Register:-**

#### **6.3 Armed Forces Personnel**

6.3.1 Additional detail has been included in this section to match the new Government Allocation Guidance on the assessment of current or previous members of the Armed Forces.

### **6.4 Common examples of Special Circumstances:**

6.4.1 The position of those applicants housed outside the area in supported housing, who previously had a connection to Wellingborough and are now ready to move on from this accommodation, is clarified.

6.4.2 Applicants or a permanent member of their household who need to receive essential care and support in the Borough but who don't meet the normal residency criteria and this cannot be provided in any other area, are considered under this criterion.

6.4.3 The level of authority for the review process is clarified.

6.4.4 This list is not exhaustive.

### **6.5 Who Cannot Join the Housing Register**

#### **6.6 Anti-Social Behaviour**

6.6.1 Further clarification is provided on the type of behaviour which is considered to be anti-social when making an assessment on whether someone should be eligible to join the Housing Register.

### **6.7 Outstanding Recoverable Housing Debt:**

6.7.1 Further clarification is provided on the type of debts which should be considered when making an assessment on whether someone should be eligible to join the Housing Register.

6.7.2 Consideration may be given to applicants with an urgent housing need who have a housing related debt, however, cumulative debt outstanding must generally be less than £500.

6.7.3 Consideration may be given in exceptional circumstances to those applicants

with a debt in excess of £500 who have a payment plan in place which has been maintained for at least 3-6 months.

## **6.8 Bandings**

### **6.9 Band A : Priority Adapted Property**

6.9.1 If the existing adaptations of a social rented tenant willing to transfer to another property, will not offer a housing solution to someone else who needs these adaptations, this banding will not apply. This might include, for example, a case where a level access shower is fitted in a first floor flat without a lift.

### **6.10 Band A: Priority Sheltered Move**

6.10.1 This banding will only apply to social rented schemes that allocate their properties through the Keyways partnership area.

### **6.11 Band B: Essential Substantial care**

6.11.1 Additional procedural information has been included which outlines the definition of substantial care and support.

### **6.12 Band B: Supported Move-On**

6.12.1 This criteria will include care leavers who the Council is satisfied are genuinely able to sustain their own tenancy.

### **6.13 Band C: Ongoing Care**

6.13.1 Additional procedural information has been included which outlines the definition of ongoing care and support.

6.13.2 Vulnerable applicants who live in a supportive home environment which is not sustainable in the long term (for example those living with elderly parents who are carers) are considered under this criterion. Such applications will be admitted to the Housing Register but will only be made active and allowed to bid when they need to be re-housed.

### **6.14 Band D: Sharing Household**

6.14.1 These applicants are suitably housed.

### **6.15 Right to a Review**

6.15.1 The level of authority for the review process is clarified.

### **6.16 Property Eligibility:**

6.16.1 Where there is sufficient stock and an applicant can afford it, they may be considered for a property larger than that outlined in the Property Eligibility

Table. In such a case, however, priority will be given in the first instance to those applicants within the relevant band who would fully occupy the property.

## 7 Legal powers

Chapters VI and VII of the 1996 Housing Act, as amended by the Homelessness Act 2002. Sections 147 (13) of the Localism Act 2011. Sections 148 and 149 of the Localism Act 2011. Allocation of Accommodation: Guidance for Local Housing Authorities in England, June 2012. Allocation of Housing (Qualification Criteria for Armed Forces Personnel) (England) Regulations 2012 (SI 2012/1869) August 2012.

## 8 Financial and value for money implications

None

## 9 Risk analysis

Nature of risk	Consequences if realised	Likelihood of occurrence	Control measures
The Council making an allocation of housing outside the parameters of the Council's Allocation Policy	The Council could be subject to an Ombudsman Enquiry or other legal challenge	Low	Amend the Policy and keep abreast of other changes in legislation.

## 10 Implications for resources

Resource implications arising from the report are those associated with implementing the changes to the Housing Allocations Policy. Publication and communication changes will be required.

## 11 Implications for stronger and safer communities

The proposed amendments and clarification to the Housing Allocations Policy and the delivery of social rented homes will assist the Council in the creation and delivery of sustainable communities.

## 12 Implications for equalities

An Equalities Impact Assessment screening was undertaken when the Allocation Policy was introduced. Officers will continue to review the operation of the Housing Register and access to it on a 6 monthly basis or whenever relevant legislation is introduced.

**13 Author and contact officer**

Trish McCourt, Senior Housing Officer

**14 Consultees**

Steven Wood, Head of Local Planning and Development  
Vicki Jessop, Principal Housing Manager  
Toni Cayford, Housing Options Officer

**15 Background papers**

None

## Appendix 1

### Who Can Join the Housing Register

#### **Criteria:**

##### **Armed Forces Personnel:**

*This includes:*

*Members of the Armed Forces and former Service personnel, where the application is made within 5 years of discharge*

*Bereaved spouses or civil partners of a member of the Armed Forces where Ministry of Defence accommodation will cease to be available following the death of their service spouse or civil partner and the death was wholly or partly attributable to their service*

*Serving or former members of the Reserve Forces who need to move because of a serious injury, medical condition or disability which is wholly or partly attributable to their service*

*Verification will be required from the Armed Forces.*

##### **Other Special Circumstances** as decided by a Senior Manager

***Replaced with*** - *Other Special Circumstances as decided by the Senior Housing Officer with a right to request a review to the Principal Housing Manager within 21 days*

*This will include, for example, applicants or a permanent member of their household who need to receive essential care and support in the Borough but who don't meet the normal residency criteria and this cannot be provided in any other area.*

*It will also include those who were normally resident in the BCW before moving to Supported Housing out of the area and are now ready to move on from this accommodation.*

*This list is not exhaustive.*

## Who Cannot Join the Housing Register

### Criteria:

- Evidence of anti social behaviour or criminal activity, including any breaches of current or previous tenancy agreement by any applicant or members of the household where legal action has been taken to end that tenancy
- **Replaced with** - Evidence of anti social behaviour or criminal activity, including any breaches of current or previous tenancy agreement by any applicant or members of the household where legal action has been taken to end that tenancy
- Those found guilty of anti-social behaviour or criminal activity where said behaviour is deemed serious enough to make them unsuitable to be a tenant of a Social Rented property and there is evidence that this behaviour is likely to continue and cause problems for the neighbouring households
- Anti social behaviour and criminal activity will include;
  - perpetrator of domestic violence
  - harassment/intimidation/ threats
  - racist behaviour
  - any violence or threats of violence
  - damaging another persons home or possessions
  - storing, selling, dealing, the growing of or manufacturing of any illegal or controlled drugs
  - interference with security and safety equipment or landlords electricity supply to communal blocks

*This list is not exhaustive.*

### Outstanding Recoverable Housing Related Debt:

#### **Replaced with-** Outstanding Recoverable Housing Related Debt:

- This will include monies owed for rent, recharges for damages to property, services charges, courts costs, housing benefit overpayments, deposit bond scheme debt and other loans from the housing prevention fund or other similar schemes.
- Consideration may be given to applicants with an urgent housing need who have housing related debt, however, cumulative debt outstanding must generally be less than £500.
- Applicants accepted with debt(s) below £500 will usually be required to have an affordable repayment plan(s) in place and be strictly adhered to for a minimum of 3 months before being accepted on the Keyways register

## Bandings:

### Band A

#### Priority Adapted Property

You are a social rented tenant willing to transfer to suitable non-adapted accommodation and are releasing a house, flat, or bungalow which is adapted to Keyways standard A, B, or C.

**Replaced with** - *You are a social rented tenant willing to transfer to suitable non-adapted accommodation and are releasing a house, flat, or bungalow which is adapted to Keyways standard A, B, or C.*

*Where existing adaptations will not offer any housing solution, you will not be a priority, for example, if a level access shower is fitted in a first floor flat.*

#### Priority Sheltered Move:

You are a social rented tenant living in sheltered, supported or assisted living accommodation and you have a medical condition which is seriously adversely affected by your current accommodation, which would be resolved by a move to alternative accommodation within your current sheltered housing scheme.

**Replaced with** - *You are a social rented tenant living in sheltered, supported or assisted living accommodation and you have a medical condition which is seriously adversely affected by your current accommodation, which would be resolved by a move to alternative accommodation within your current sheltered housing scheme. This criterion only applies to schemes that allocate their vacancies through Keyways.*

### Band B

#### Essential Substantial Care:

You or a member of your household need to give or receive essential care and support that is substantial and ongoing and that cannot be provided from, or in, your current accommodation.

**Replaced with-** *You or a member of your household need to give or receive essential care and support that is substantial and ongoing and that cannot be provided from, or in, your current accommodation.*

*Substantial ongoing care and support, for example, a regular provision for a minimum of 3 times per week.*

*Applicants must be either in receipt of carers allowance and /or have a carer who is in receipt of Carers Allowance and /or applicants must have had an assessment by social services or another similar support service so it can be established if that care or support is substantial.*

### **Supported Move-On:**

You are ready to move on from supported accommodation and have been accepted as ready for independent living by a relevant support provider.

***Replaced with*** -*You are ready to move on from supported accommodation in the Keyways Partnership area and have been accepted as ready for independent living by a relevant support provider.*

*This criteria includes care leavers who are ready to move to independent accommodation, and have supporting evidence to this effect and the Council is satisfied they are genuinely able to sustain a tenancy on their own.*

### **Band C**

#### **Ongoing Care**

You or a member of your household need to give or receive essential care and support that is ongoing and that cannot be provided from or in, your current accommodation.

***Replaced with*** - *You or a member of your household need to give or receive essential care and support that is ongoing and that cannot be provided from or in, your current accommodation.*

*Essential care and / or support does not have to be substantial in that applicants may not have a carer/be in receipt of Carers Allowance or have Social Services involvement. Essential care may include practical and/or emotional support that is essential to the physical or mental wellbeing of the person receiving the care/support. Evidence must be submitted to support this.*

*This will include vulnerable applicants who live in a supportive home environment which is not sustainable in the medium to long term (e.g. elderly parents who are carers)*

### **Band D**

#### **Sharing Household**

You are a household without dependents adequately housed with family or friends.

***REMOVE this criterion.***

## Right to a Review

### **The Applicant's Right to a Review**

The applicant, or the applicant's representative, must make a request to the Housing Manager at The Borough Council of Wellingborough in writing within 21 days of receiving a written decision.

***Replace with - The applicant, or the applicant's representative, must make a request to the Principal Housing Manager at the Borough Council of Wellingborough in writing within 21 days of receiving a written decision.***

## Appendix 2

### Property Eligibility Table

*Priority will be given within a Band to those who require all the bedrooms the property can offer over and above those who would be deemed as under-occupying*

## Property Eligibility Table

Please note: <ul style="list-style-type: none"> <li>If a household's circumstances do not fit any of the criteria outlined in this matrix, the Housing Options Officer will decide what size and type of property the household is eligible for.</li> <li>The term 'Household' refers to a single adult or couple.</li> <li>The term 'Couple' includes same sex couples.</li> <li>Sheltered accommodation will normally be offered to households over 60 (or over 55 in some circumstances).</li> <li>Households expecting their first child are eligible to place bids on 2 bedroom properties.</li> </ul>	Bedsit	1 bedroom bungalow	1 bedroom flat	1 bedroom house	2 bedroom bungalow	2 bedroom flat (no garden)	2 bedroom flat (with garden)	2 bedroom house	3 bedroom bungalow	3 bedroom flat/maisonette	3 bedroom house	3 bedroom parlour house	4 bedroom house	4 bedroom flat/maisonette	5 bedroom house
	Single person	X	X	X	X	X*	X*								
Couple without children	X	X	X	X	X*	X*									
Household expecting first child					X	X	X	X							
Household with 1 child					X	X	X	X							
Household with 2 children					X	X	X	X	X**	X**	X**				
Household with 3 children									X	X	X	X**	X**	X**	
Household with 4 children									X	X	X	X**	X**	X**	***
Household with 5 or more children												X	X	X	***

\* A financial assessment will be carried out by the landlord to ensure that rental payments will be affordable before an offer of a tenancy is made.

\*\* Working age households will only be offered properties of this size if the children cannot share rooms (see table below). A financial assessment will be carried out by the landlord to ensure that rental payments will be affordable before an offer of a tenancy is made.

### Who Can Share a Room?

- Children of the same gender are expected to share, however, if there is an age gap at least 10 years, (with the eldest being minimum of 16 years old) another room can be allocated.
- Children 10 or under are expected to share regardless of gender
- Disabled household members who require a non-resident overnight carer will be allowed an extra room

\*\*\* Due to the extremely limited number of 5 bedroom properties, you will be invited to discuss your housing circumstances with the Housing Service if you require a property of this size or more.

