

**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 Borough Council of Wellingborough's housing allocation policy which came into effect in April 2013, with Information and Communications Technology changes taking place in June 2013.
- 1.2 This report relates to the achievement of the PRIDE objective of improving life chances for young people and delivering efficient and responsive services.

**2 Executive summary**

- 2.1 The housing allocation policy came into effect in April 2013 and has been amended since this time to reflect legislative changes, provide additional clarity and ensure best use of housing stock. The policy has been reviewed over the last 12 months and the changes proposed below are as a result of this review. It seeks to shift the focus of the policy to a more preventative approach, prioritising those in most urgent housing need and seeking to reduce those approaching the council at crisis point and threatened with homelessness. It looks to reduce pressure on temporary accommodation and the significant costs thereof.

**3 Appendices**

Appendix one – Borough Council of Wellingborough housing allocation policy:- summary of proposed amendments  
Appendix two – Housing allocation policy consultation with registered providers

**4 Proposed action:**

- 4.1 **The Committee RESOLVES to approve the amendments to the housing allocations policy for implementation from 1 November 2016.**

**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. These changes were undertaken in June 2013 following an ICT upgrade.
- 5.2 At Community Committee on 9 December 2013, it was resolved that further changes be made to the allocations policy to provide some additional detail to

certain aspects of the policy in order to be transparent in the way that applications are assessed; these were implemented immediately.

- 5.3 At Services Committee on 15 September 2014 it was resolved that amendments be made to the allocations policy to ensure homes are allocated to applicants who are most in need and to ensure best use of social rented stock. This followed a review of the Allocation Policy following its operation for a period of 12 months.
- 5.4 At Services Committee on 2 February 2015, changes were approved to the local connection criteria for rural settlements and parish council areas in relation to housing allocations.

## **6 Discussion**

- 6.1 A review of the allocation policy has been undertaken. Since it was first implemented in 2013 the local and national housing market environment has changed significantly and amendments are required to ensure the policy remains fit for purpose. Consultation has been undertaken with Registered Providers and responses are attached at appendix 2.
- 6.2 It has become clear the current policy is not giving enough priority to those in urgent need of housing or those who are at imminent threat of homelessness. This is leading to high numbers of cases approaching the council under the homeless legislation as they have not been assisted with a solution to their housing need through the housing register. This is putting pressure on the demand for temporary accommodation and in turn increased costs to the council.
- 6.3 The changing housing market and government direction is moving more towards home ownership and welfare reform is placing more emphasis on the importance of employment. This policy aims to create a more balanced housing register by amending the residency criteria, clarifying the definition of workers and incorporating the requirements of new statutory regulations on the Right to Move.
- 6.4 Currently applicants to the housing register must satisfy a local connection to the borough of Wellingborough and will then be placed into one of five priority bands, from A-E, to reflect their level of priority for housing. Applicants in band A have the highest level of priority. Details of these bands can be found in the housing allocation policy.
- 6.5 This review proposes changes to the local connection criteria and to the detail of some of the bands.
- 6.6 Proposed changes to the policy are as follows:

## **6.7. Local connection:**

### **6.7.1 Residency in the Borough of Wellingborough**

### **6.7.2 Change from 3 years continuous residence to 3 out of the last 5 years**

6.7.3 This gives some flexibility to the strict requirement of 3 years' continuous residency and recognises that people do move across local authority boundaries for a variety of reasons to find suitable accommodation. It also assists those applicants wishing to return to a rural area; for example, the village where they grew up, and thus increases the amount of applicants who are eligible for village properties with a local connection.

## **6.8 Local connection:**

### **6.8.1 Employment**

Remove reference to 'permanent employment' to reflect the reality of the current labour market. An agency worker must have worked for an agency for a continuous period of 12 months in the borough to meet this criteria.

## **6.9 Recoverable housing debt**

6.9.1 Applicants can currently be excluded from joining the housing register for reasons of housing debt. Currently applicants with an urgent housing need who have a housing related debt will be considered for the housing register but cumulative debt must generally be less than £500. In exceptional circumstances, applicants may be considered for the housing register who have a housing debt in excess of £500 who have a payment plan in place which has been maintained for at least 3-6 months.

6.9.2 It is proposed to add Council Tax arrears to the list of those debts included in the definition of recoverable housing debt in the housing allocation policy. This is in line with both Kettering and Corby's policies and will provide both equity and transparency for those applicants that owe money to the council.

## **6.10 Sheltered/independent living accommodation**

6.10.1 Sheltered accommodation is now also referred to as Independent Living accommodation by some providers. It provides tiered levels of support depending on the needs and demands of the individual or household.

6.10.2 An assessment is carried out by a housing provider to establish that an applicant has a need for this type of accommodation before they are approved and able to bid for these properties. Not all sheltered/independent living properties have an age requirement and therefore the reference to this has been removed in the policy. There is a right of review to any decision not to accept onto the Housing Register.

## **6.11 Statutory homeless applicants**

### **6.11.1 Change from band D to band A**

6.11.2 Currently applicants accepted as statutory homeless are placed into band D for 8 weeks whilst housing options officers endeavour to make an offer of a property in the private rented sector. It is proposed that applicants accepted as statutory homeless will now be placed straight into the highest priority band, band A, for four weeks to ensure they can move on as quickly as possible. By placing into band A when a decision has been made this should ensure a quicker 'move on' from temporary accommodation and/or solve their housing need.

6.11.3 Applicants will be made one offer of suitable accommodation while in band A. If applicants fail to make bids for suitable properties then the housing options officer will bid for them. If an applicant refuses an offer of suitable accommodation then council has no further duty to house them and any temporary accommodation will be cancelled.

6.11.4 Those waiting for a decision on their homeless application will remain in the band which best suits their need until a decision is made.

## **6.12 Overcrowding**

### **6.12.1 Require 2 or more extra bedrooms increase to band B**

### **6.12.2 Require 1 extra bedroom remain in band C**

6.12.3 All applicants registered for re-housing due to overcrowding are currently placed in Band B. This does not reflect the extent of the overcrowding and those with a need for two or more extra bedrooms are treated in the same way as those who only need only 1 extra room. For example, a single woman with a baby sharing one room would currently receive the same priority as a couple sharing one room with their 3 children.

## **6.13 Notice to vacate (requiring family accommodation)**

### **6.13.1 Increase of banding from band C to band B**

6.13.2 Increasing the priority from band C to band B for those applicants who are being asked to leave their home through no fault of their own will focus on preventing homelessness and cases of housing crisis. This will, in turn, seek to limit levels of homelessness and numbers in temporary accommodation as applicants are more likely to be housed before their notice expires. This will only apply to those needing family accommodation as these are the households to whom the council would be most likely to have a duty to house should they become homeless.

6.13.3 Applicants under notice to vacate but not requiring family accommodation will remain in band C.

## **6.14. Right to Move**

### **6.14.1 New banding, band B**

6.14.2 This banding is introduced to incorporate the requirements of new statutory regulations, "The Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015".

6.14.3 It applies to social rented tenants who work or have been offered work in the borough and would suffer financial hardship if they were unable to take up the position.

## **6.15 Exceptional circumstances**

### **6.15.1 Addition to policy**

6.15.2 In exceptional circumstances, an applicant who would not normally qualify for the housing register but has an urgent housing need may be allowed to join the housing register. This must be approved by the Senior Housing Officer.

## **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. The Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015.

## **8 Financial and value for money implications**

Focus is placed on greater preventative measures and seeking to find solutions to urgent housing need before temporary accommodation is required. This will seek to mitigate the significant costs of hotel and other temporary accommodation to the council.

## **9. Risk analysis**

<b>Nature of risk</b>	<b>Consequences if realised</b>	<b>Likelihood of occurrence</b>	<b>Control measures</b>
Increased levels of applicants presenting to the Council in housing crisis	Cost for temporary accommodation continuing to rise year on year.	High	The policy changes will assist the council in finding permanent housing solutions earlier.

The council making an allocation of housing outside the parameters of the housing allocation policy	The council could be subject to an Ombudsman enquiry or legal challenge	High	Review the policy after 12 months and keep abreast of legislative changes
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**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 via the website. There is no additional IT expenditure anticipated as many IT changes to the Abris Choice Based Lettings Housing Allocation system have already taken place following the changes that other Local Authorities have made to their policies.

**11. Implications for stronger and safer communities**

The proposed amendments and clarification to the housing allocations policy will ensure those in the greatest need will be assisted in a timely manner.

**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 12 monthly basis or whenever relevant legislation is introduced.

**13. Author and contact officer**

Trish McCourt, Senior Housing Officer

**14. Consultees**

Vicki Jessop, Principal Housing Manager  
 Julie Thomas, Head of Planning and Local Development  
 Toni Cayford, Housing Options Officer  
 Registered Provider's working within the Borough Council of Wellingborough

**15. Background papers**

[Borough Council of Wellingborough Housing Allocations Policy](#)

## Appendix 1

### Borough Council of Wellingborough Housing Allocation Policy: Summary of Proposed Amendments

Issue	Response	Existing Section of Housing Allocation Policy
<b>Local Connection: Residency in the Borough of Wellingborough</b>	<b>Current</b> Residency in the Borough of Wellingborough for at least three years continuously prior to acceptance onto the housing register	5
	<b>Amendment</b> Residency in the Borough of Wellingborough for at least three years out of the last 5 years	
<b>Local Connection: Employment</b>	<b>Current</b> Permanent employment in the Borough of Wellingborough for a minimum of 16 hours per week	5
	<b>Amendment:</b> Employment in the Borough of Wellingborough for a minimum of 16 hours per week at the point of application and the point of nomination. For the purposes of establishing this local connection, the applicant must either have a permanent contract (and passed any probationary period), or, be able to demonstrate they have worked for at least six out of the last 12 months in the Borough of Wellingborough and there is no reason to believe this arrangement is due to cease	
<b>Recoverable Housing Debt</b>	<b>Current</b> Outstanding recoverable housing related debt: <ul style="list-style-type: none"> <li>• This will include monies owed for rent, recharges for damages to property, service charges, court costs, housing benefit overpayments, deposit bond scheme debt and other loans from the housing prevention fund or other similar schemes</li> </ul>	10
	<b>Amendment</b> Outstanding recoverable housing related debt: This will include monies owed for rent, recharges for damages to property, service charges, court costs, housing benefit overpayments, deposit bond scheme debt, Council Tax and other loans from the housing prevention fund or other similar schemes	

<b>Sheltered/Independent Living Accommodation</b>	<b>Current</b> In order for an applicant to be able to bid on sheltered properties, they will be required to complete a short assessment with the Keyways staff to determine the level of support they require. This assessment has a qualifying score which the applicant will need to satisfy in order to have their application amended allowing them to bid for this type of property	17
	<b>Amendment</b> Sheltered/Independent Living accommodation is designed to help tenants remain independent with choice and control over their own lives. Tiered levels of support are available and emergency assistance is generally available 24 hours a day. Applicants must have a level of support to access this accommodation. The level of support is determined via an assessment, completed by the housing provider, allowing them to bid on this type of accommodation. Some sheltered/independent living accommodation has a minimum age requirement attached it.	
<b>Statutory Homeless Applicants</b>	<b>Current</b> A household accepted as statutory homeless will have their Keyways application placed in Keyways Band D for a period of 8 weeks from the date of their homelessness decision. Within these 8 weeks Housing Options will endeavour to make a private rented sector offer	22
	<b>Amendment</b> Those applicants waiting for a decision on their homeless application will remain in the band which best suits their need until a decision is made. If accepted as statutory homeless, applicants will be placed into Band A for a period of 4 weeks and one offer of suitable accommodation will be made to them to end the homeless duty. If applicants fail to bid for suitable properties on Keyways, then a Housing Options Officer will bid for them. The Council will continue to look at options within the private rented sector and applicants will be expected to consider all suitable offers of accommodation in the social, affordable and private rented sector	
<b>Overcrowding</b>	<b>Current</b> <b>Band B</b> <b>Need another one or more bedrooms</b> You need one, two or more bedrooms than your current accommodation provides	23
	<b>Amendment</b> <b>Band B:</b> You need two or more bedrooms than your current accommodation provides <b>Band C:</b> You need 1 more bedroom than your current accommodation provides	

<b>Notice to Vacate (requiring family accommodation)</b>	<b>Current</b> <b>Band C - Notice to Vacate</b> Your current landlord has served Section 21 notice requiring that you leave your privately rented accommodation for a reason or situation which is not caused by you or a member of your household, and the tenancy cannot be prevented from ending	24
	<b>Amendment</b> <b>Change to Band B</b> <b>Band B – Notice to Vacate</b> Your current landlord has served legal notice requiring you to leave your accommodation for a reason or situation which is not caused by you or a member of your household, and the tenancy cannot be prevented from ending. The household is assessed as requiring family accommodation. This banding will be reviewed after 6 months and withdrawn if the landlord has not issued legal proceedings as necessary or otherwise taken steps to require the applicant to leave the accommodation	
<b>Notice to Vacate</b>	<b>Current</b> <b>Band C - Notice to Vacate</b> Your current landlord has served Section 21 notice requiring that you leave your privately rented accommodation for a reason or situation which is not caused by you or a member of your household, and the tenancy cannot be prevented from ending	24
	<b>Amendment</b> <b>Band C - Notice to Vacate</b> Your current landlord has served legal notice requiring you to leave your accommodation for a reason or situation which is not caused by you or a member of your household, and the tenancy cannot be prevented from ending. This banding will be reviewed after 6 months and withdrawn if the landlord has not issued legal proceedings as necessary or otherwise taken steps to require the applicant to leave the accommodation	
<b>Right to Move</b>	<b>Current</b> Not currently in the allocation policy	N/A
	<b>Addition</b> You are a social rented tenant with a job offer for a permanent job in the Borough and you would suffer financial hardship if you were unable to take up the position	
<b>Exceptional Circumstances</b>	<b>Current</b> Not currently in the policy	N/A
	<b>Addition</b> In exceptional circumstances, an applicant who would not ordinarily qualify for the Housing Register but who has an urgent housing need	

	(defined by being awarded Bands A or B) may be allowed to join the Housing Register. This decision will be approved by the Senior Housing Officer with a right of review to the Principal Housing Manager	
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## Appendix 2

### Borough Council of Wellingborough Housing Allocation Policy Consultation with Registered Providers- 22/07/2016

Date	Paragraph	Name	Housing Association	Comments	BCW Response
20/07/2016	Page 18, Section 17	Angie Grimes	Wellingborough Homes	Independent Living accommodation is designed to help tenants remain independent with choice and control over their own lives. Tiered levels of support are available and emergency assistance available 24 hours a day. Applicants must have a level of support to access this accommodation. The level of support is determined via an assessment, completed by the housing provider, allowing them to bid on this type of accommodation	Amendment to wording only, change from 'Sheltered Housing' to 'Independent Housing'
22/07/2016	Page 20, Section 20	Dave Lockerman	Wellingborough Homes	For us it is the word "sustainable" that is currently missing and we would like to see this included. Like the example above we would of course work with the household to try and improve their situation but ultimately if they are unable to "sustainably afford" the rent we want to reserve the right to refuse the nomination. We are in the process of procuring a sustainability calculator which will help us in this regard.	Already in our policy, however amendment to wording to include 'sustainable'

