



Environmental Health
& Housing Services

**Gibson Building, Gibson Drive
Kings Hill, West Malling
Kent ME19 4LZ**

Switchboard 01732 844522
DX 92865 West Malling
Minicom 01732 874958 (text only)
Web Site <http://www.tmbc.gov.uk>
Email envhlthhsg.services@tmbc.gov.uk

By Email

Frances Walker
Department for Communities and Local
Government
Zone 1/J9 Eland House
Bressenden Place
London SW1E 5DU

Contact Janet Walton
Direct line 01732 876207
Email janet.walton@tmbc.gov.uk
Fax 01732 876202
Your ref
Our ref EHHS/HSG/JW
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Dear Ms Walker

Allocation of accommodation: guidance for local housing authorities in England

Thank you for the opportunity to respond to the consultation on the draft statutory guidance on the allocation of accommodation and armed forces regulations.

The Council's current housing allocation scheme was adopted in April 2009. Applicants are placed into one of four bands and their relative priority within each band determined through a points scheme.

The Council will be reviewing the scheme in line with Government guidance. Views from existing/prospective applicants, key partners and other stakeholders will be sought prior to reviewing the scheme, which will then be subject to formal consultation.

Our response to the consultation questions is set out below.

1. Does your allocation scheme/transfer policy already provide for social tenants who are under-occupying to be given priority?

Yes. Social tenants who are currently under-occupying existing social housing are placed in Band A where they require two or more bedrooms less than they currently have; and Band C if they require one less bedroom. They also receive ten points for each bedroom they give up.

Director of Health & Housing: John Batty BA MSocSc MCIEH MCMI



2. Do you intend to revise your allocation scheme in order to make it easier for under-occupying social tenants to downsize to more appropriately sized accommodation?

We already incentivise downsizing for under-occupation. We are, however, considering removing the 'points' element from the assessment and so applicants within each band will be prioritised solely by the length of time they have been waiting. The four bands are, with no change proposed:

- § Band A – Urgent need to move, for example due to violence
- § Band B - High priority, for example on medical grounds
- § Band C – Medium priority, for example due to overcrowding
- § Band D - Low priority, for example sharing a home.

3. If so, what changes to your allocation scheme will you be considering?

Non that are specific to under-occupation.

4. Do you agree that members of the Armed Forces and former Service personnel should not be disqualified on residency grounds? Is 5 years from the date of discharge an appropriate time limit for this restriction? If not, what would be a more appropriate period?

Yes, these provisions are welcome. Five years from the date of discharge seems an appropriate time limit.

5. Does the draft guidance provide sufficient clarity on how to implement the new power for housing authorities to set their own allocations qualification criteria? If not, in what areas would more guidance be useful?

The draft guidance is comprehensive enough, but the timescale for reviewing the allocations scheme seems to be at odds with the requirement to have regard to the tenancy strategy (paras 2.6 & 4.3).

In Kent, a set of countywide tenancy strategy principles are currently being developed which will then be used by the district and boroughs to reflect local conditions.

6. Do you agree that the bedroom standard is an appropriate measure of overcrowding for the purpose of according reasonable preference? If not, what measure do you consider would be more appropriate?

Yes. The bedroom standard is the most relevant and up to date measure, and it reflects current-day lifestyles.

7. Should this guidance provide advice on how to define “severe overcrowding” for the purpose of according additional preference? If so, would an appropriate measure be two bedrooms or more short of the bedroom standard?

It would be helpful but not essential. We would suggest that three bedrooms or more be a more appropriate measure.

8. How does your allocation scheme currently define “overcrowding” for allocation purposes? Does it, for example, use the bedroom standard, the statutory overcrowding standard in Part 10 of the Housing Act 1985, or another definition? If the last of these, please provide brief details.

The current allocation scheme uses the bedroom standard. Applicants requiring an additional three bedrooms or more are placed in Band A; two bedrooms or more Band B; and one bedroom Band C. Ten points are awarded for each person lacking a bed space.

The Council’s current allocation scheme applies the 2009 LACORS guidance for the regulation of crowding and space in residential premises to determine whether a bedroom is single or double, with two children of the same sex expected to share a double room until they are 18 (unless there is an age gap of ten years or more); and two children of the opposite sex expected to share until the oldest is seven.

We are considering aligning these requirements with the regulations for Housing Benefit/Local Housing Allowance so that two children of the same sex will share a room until the oldest reaches 16 (regardless of age gap); and two children of the opposite sex will share until the oldest reaches ten. This will form part of our forthcoming consultation.

9. We propose to regulate to require housing authorities to frame their allocation scheme to provide for former Service personnel with urgent housing need to be given additional preference for social housing. Do you agree with this proposal?

Yes.

10. Does your allocation scheme already make use of the flexibilities within the allocation legislation to provide for those who have served in the Armed Forces to be given greater priority for social housing? If so, how does your scheme provide for this?

There are no military bases in this borough, and so the issue of residency for local service personnel has never arisen.

Had this not been the case, then under our current allocation scheme service personnel would not be precluded from registering for housing, provided that they have a housing need. However, if unconnected to the borough, they would be ineligible for the five points that are awarded to reflect local connection.

11. If not, do you intend to take advantage of the flexibilities in the allocation legislation to provide for former members of the Armed Forces to be given greater priority for social housing? If so, what changes might you be considering?

I anticipate that the revised allocation scheme will reflect the flexibilities which will give greater priority to former service personnel. I would also anticipate that these flexibilities will apply to those moving on from the accommodation provided within Aylesford by Royal British Legion Industries.

12. Does your allocation scheme already provide for some priority to be given to people who are in work, seeking work, or otherwise contributing to the community? If so, how does your scheme provide for this?

No. However, in developing local lettings plans on larger new schemes some priority has been given to those in local employment.

13. If not, do you intend to revise your allocation scheme in light of the guidance in paragraphs 4.36 and 4.37? If so, what changes might you be considering?

We are considering whether applicants who are working should be placed into the band that is one band higher than their assessed need. This will form part of the forthcoming consultation.

However, we do have some reservations about this aspect of the guidance, and in particular the potential to disadvantage those who are unable to work or contribute to the community. Also, the need to reassess the priority of those whose employment and/or community contribution is erratic has the potential to add considerably to the assessment process.

14. Are there other ways in which housing authorities can frame their allocation scheme to meet the needs of prospective adopters and foster carers?

Our current allocation scheme awards high welfare priority where an applicant has been approved by social services for adoption or fostering and a child is to be placed, but where the current accommodation is unsuitable.

Close working with children's services will be the only way to ensure that allocations to prospective foster carers and adoptive parents are appropriate and do not result in

under-occupation. The issue is probably simpler in the case of adoption, whereas foster parents will inevitably face periods of time between foster placements.

15. Does the draft guidance provide sufficient clarity on the extent of flexibilities available to housing authorities when framing their allocation scheme?

Yes.

Yours sincerely

Janet Walton
Chief Housing Officer