

TONBRIDGE & MALLING BOROUGH COUNCIL

STRATEGIC HOUSING ADVISORY BOARD

8 October 2007

**Joint Report of the Director of Health and Housing and Cabinet Member for
Housing**

Part 1- Public

**Matters for Recommendation to Cabinet - Non-Key Decision (Decision may be taken
by the Cabinet Member)**

1 REVIEW OF HOUSING ALLOCATION SCHEME

Summary

This report informs Members on the need to undertake a review of the Council's housing allocations scheme. A revised draft scheme is proposed taking account of best practice, and Cabinet authority to commence formal consultation is sought.

1.1 Background

1.1.1 Since the housing allocations scheme was last reviewed (2002/03) there have been a number of legislative and procedural changes to the way in which applications for social housing are considered and prioritised. Nationally, local authority housing services are moving towards homelessness prevention and increasing choice for applicants in housing need.

1.1.2 The current allocations scheme will be updated to reflect these changes and to coincide with the return of housing register and homelessness services from Russet Homes, which is the subject of a separate report on this agenda.

1.2 Statutory duties

1.2.1 In accordance with Part VI Housing Act 1996, as amended by the Homelessness Act 2002, the Council has a legal duty to determine housing need in the borough, and to produce an allocations scheme which explains how affordable housing is allocated to those in housing need. Nominations to housing association properties must comply with the terms of the allocations scheme.

1.2.2 The Council operates a points scheme to determine each applicant's priority on the housing register according to their level of housing need. There are a number of changes to the points scheme in the revised policy, to reflect the changes to the reasonable preference categories described in the relevant legislation and associated code of guidance. These include the award of additional points for those who need to move on welfare grounds and those with composite or multiple

needs. The guidance requires the register to be open to persons who reside outside the Borough. However in order to continue giving appropriate priority to applicants with a local connection, the revised scheme proposes additional points are awarded to those with a local connection.

- 1.2.3 There are also changes to the nomination process to increase choice for homeless applicants who are currently restricted to a single offer.
- 1.2.4 All applicants will be provided with a copy of the housing allocations scheme summary booklet which explains the points system, together with details of the size and type of property likely to be offered according to their household composition. This information will give applicants an indication as to how their application will be treated, the level of priority they may be awarded enabling them to make appropriate decisions on their rehousing options.
- 1.2.5 These amendments to the current scheme will constitute major changes, and will require a formal consultation process.

1.3 Consultation process

- 1.3.1 The allocation of accommodation code of guidance recommends a minimum consultation period of 12 weeks, in line with the Cabinet Offices code of practice which lays down 12 weeks as the standard minimum time for written consultation periods to be used by UK government departments. The formal consultation period will begin on 15 October 2007 and end on 7 January 2008. A copy of the draft housing allocations scheme will be sent to all RSLs with whom the Council has nomination rights, other partners and referral bodies such as Social Services, health authorities, Connexions, Supporting People teams and relevant voluntary sector organisations, who will be invited to comment on the proposed changes.
- 1.3.2 The draft housing allocations scheme, including the scheme summary is included at **[Annex 1]**. Following consultation, the draft housing allocations scheme will be reported to SHAB in February 2008 for approval and it is anticipated that it will be adopted from 1 April 2008.

1.4 Legal Implications

- 1.4.1 The Council has a legal duty to determine housing need in the borough, and to produce an allocations scheme which explains how affordable housing is allocated to those in housing need.

1.5 Financial and Value for Money Considerations

- 1.5.1 None arising from this report.

1.6 Risk Assessment

- 1.6.1 Failure to properly assess housing need and homelessness would leave the Council open to legal challenge.

1.7 Recommendations

Cabinet is **RECOMMENDED** to **ENDORSE** the Draft Housing Allocations Scheme for the purposes of formal consultation ending on 7 January 2008.

The Director of Health and Housing confirms that the proposals contained in the recommendation(s), if approved, will fall within the Council's Budget and Policy Framework.

Background papers:

contact: Lynn Wilders

Nil

John Batty
Director of Health and Housing

Councillor Jill Anderson
Cabinet Member for Housing