

TONBRIDGE & MALLING BOROUGH COUNCIL

STRATEGIC HOUSING ADVISORY BOARD

16 July 2012

**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 THE HOUSING ALLOCATIONS SCHEME

Summary

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. The Localism Act 2011 allows local housing authorities in England to consider major revisions to housing allocation schemes to reflect local needs. Alongside this, a statutory code of guidance on the allocation of accommodation has recently been published.

1.1 Introduction

1.1.1 Members will recall from an earlier report to this Board in February that the current housing allocations scheme is due to be reviewed to reflect changes introduced by the Localism Act 2011. This is one of a number of Government reforms to the social housing sector outlined in their November 2012 publication, *Local decisions: a fairer future for social housing*.

1.1.2 At the time of writing this report, the impact of these changes has not been fully assessed. Sections 145 to 147 of the Localism Act came into force on 18 June 2012, and the associated statutory guidance was published on 29 June 2012, following a period of consultation.

1.1.3 A further detailed report is to follow, which will be presented to this Board on 16 July 2012. This further report will update Members on the changes the new statutory guidance introduces and the consultation process and timetable for reviewing and updating the housing allocations scheme.

1.2 Legal Implications

1.2.1 The Council has a legal duty under Part 6 of the Housing Act 1996 (as amended by the Homelessness Act 2002 and the Localism Act 2011) 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.

1.3 Financial and Value for Money Considerations

1.3.1 None at this stage.

1.4 Risk Assessment

1.4.1 Failure to properly assess housing need and homelessness would leave vulnerable households at risk of homelessness and the Council open to legal challenge.

1.5 Equality Impact Assessment

1.5.1 See 'Screening for equality impacts' table at end of report.

1.6 Recommendations

CABINET is RECOMMENDED to

1.6.1 **NOTE** that a more detailed report is to follow.

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

Screening for equality impacts:		
Question	Answer	Explanation of impacts
a. Does the decision being made or recommended through this paper have potential to cause adverse impact or discriminate against different groups in the community?	No	No change to current policy at this time

Screening for equality impacts:		
Question	Answer	Explanation of impacts
b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality?	No	No change to current policy at this time
c. What steps are you taking to mitigate, reduce, avoid or minimise the impacts identified above?		N/A

In submitting this report, the Chief Officer doing so is confirming that they have given due regard to the equality impacts of the decision being considered, as noted in the table above.