

# **TONBRIDGE & MALLING BOROUGH COUNCIL**

## **STRATEGIC HOUSING ADVISORY BOARD**

**23 February 2015**

**Report of the Director of Planning, Housing and Environmental Health**

### **Part 1- Public**

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

#### **1 HOUSING ALLOCATION SCHEME REVIEW**

##### **Summary**

**This report updates Members on proposed revisions to the Council's Housing Allocation Scheme and provides a draft copy of the revised scheme for approval.**

##### **1.1 Introduction**

- 1.1.1 Members will recall at the last meeting of this Board in November 2014, officers presented the proposed changes to the Council's Housing Allocations Scheme and sought Member endorsement for these changes.
- 1.1.2 Members agreed the proposed changes subject to a revaluation of the proposed financial thresholds and the status on the housing register of those households exceeding these thresholds.
- 1.1.3 Further work has now been undertaken and **[Annex 1]** contains the revised detail on the proposed changes.
- 1.1.4 Members will recall that the Council's Housing Allocation Scheme was reviewed in 2012/13 following the introduction of the Localism Act 2011 and went live in September 2013. The review simplified the priority banding system by removing points from the assessment and introduced two new qualification criteria so that all applicants now have to have a local connection and a housing need in order to join the housing register.
- 1.1.5 The revised policy has now been in operation for over a year. Whilst it has generally operated satisfactorily, it is timely to review the scheme now to address some of the operational and strategic issues that have emerged since its implementation. The proposed changes have been informed by:
  - Customer and Stakeholder feedback, including regular feedback from Registered Provider partners;

- operational experience from our own staff who have provided valuable and detailed information about the practical application of the policy;
- further roll out of Welfare Reform measures;
- dynamic and changing housing market conditions; and
- recent government guidance.

- 1.1.6 The proposed revisions will reinforce our strategic approach to ensure local homes for local people, prioritising those in greatest housing need and making the best use of existing stock.
- 1.1.7 Following the previous report to Members in November 2014 two of these changes have already been implemented due to their urgent nature. All homeless households where we have accepted a duty to rehouse are now assessed as Band B high priority instead of Band C medium priority. This is to help minimise the length of time households have to spend in temporary accommodation.
- 1.1.8 Applicants awarded a high priority on medical, welfare or property condition grounds no longer have their priority date changed to the date this priority is awarded. This is a positive change for all customers as it means that the priority date for all applicants is the date that their application is received rather than the date their application is reassessed.

## **1.2 Draft Housing Allocation Scheme**

- 1.2.1 A draft copy of the revised Housing Allocation Scheme is included at **[Annex 2]**. The statutory guidance states before altering an allocation scheme to reflect a major change of policy, a copy of the draft scheme should be sent to every Private Registered Provider with which we have nomination arrangements, who should be given a reasonable opportunity to comment on the proposals. We also need to take reasonable steps to bring the changes to the attention of housing applicants and we will be informing those households once the amended Housing Allocation Scheme is finalised.
- 1.2.2 It is therefore proposed to draft a questionnaire based on the specific changes to send to the 13 Registered Providers with housing stock within the Borough and to our other main stakeholders. As there are a limited number of consultees, it is proposed to conduct the consultation for a six week period between March 2015 and April 2015.
- 1.2.3 Following the consultation period, all responses will be considered and the draft scheme amended as appropriate. The equalities impact assessment will then be updated and any final amendments made in consultation with the Cabinet Member for Housing.

- 1.2.4 Changes to the Housing Allocations Scheme will take time to implement as some existing applications will need to be reviewed and technical changes to the IT system will need to be made in advance of going live. Considering all these tasks it is proposed that the revised scheme will go live in July 2015.

### **1.3 Legal Implications**

- 1.3.1 The Council has a legal duty under Part VI of the Housing Act 1996 (as amended by the Homelessness Act 2002 and the Localism Act 2011) to produce a Housing Allocation Scheme that sets out how affordable housing in the Borough is allocated.
- 1.3.2 There is some discretion which allows authorities to frame the scheme to meet the needs of their District/Borough, however, emphasis is placed on ensuring that affordable housing goes to the most vulnerable and those most in housing need.

### **1.4 Financial and Value for Money Considerations**

- 1.4.1 None arising from this report.

### **1.5 Risk Assessment**

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

### **1.6 Policy Considerations**

- 1.6.1 The Housing Allocation Scheme touches upon a number of key corporate priorities including Housing, Health and Wellbeing, Community Safety and Children and Young People.

### **1.7 Equality Impact Assessment**

- 1.7.1 Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to (i) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010, (ii) advance equality of opportunity between people from different groups, and (iii) foster good relations between people from different groups. The decisions recommended through this paper directly impact on end users. The impact will be fully analysed and reported to Members prior to a final decision being reached in accordance with the timescale set out in 1.3.

### **1.8 Recommendations**

- 1.8.1 **CABINET** is **RECOMMENDED** to:
- 1.8.2 **APPROVE** the proposed revisions to the Housing Allocation Scheme.
- 1.8.3 **APPROVE** the implementation date of July 2015 for the revised Scheme.

- 1.8.4 **AUTHORISE** the Chief Housing Officer to finalise the details of the Housing Allocations Scheme following the consultation process in consultation with the Cabinet Member for Housing and the Chairman of the Strategic Housing Advisory Board.

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

Background papers:

Nil

contact: Satnam Kaur/  
Lynn Wilders

Steve Humphrey  
Director of Planning, Housing and Environmental Health