

This report will be made public on the 7 April 2017

Folkestone

Hythe & Romney Marsh
Shepway District Council



Report Number **C/16/122**

To: Cabinet Report
Date: 19 April 2017
Status: Key Decision
Head of Service: Sarah Robson, Head of Communities
Cabinet Member: Councillor Alan Ewart-James, Housing

SUBJECT: REVIEW OF SHEPWAY HOUSING ALLOCATION POLICY 2017

SUMMARY: This report sets out details of proposed changes to the council's Housing Allocations Policy. The proposed changes will ensure that the policy takes full account of current Government guidance and good practice.

REASONS FOR RECOMMENDATIONS:

Cabinet is asked to approve the following recommendations:

- a) The council's current Housing Allocations Policy was approved by Cabinet at its meeting on 11 March 2014 (Minute number 13/101)
- b) Since the policy was introduced the Government has updated its guidance and good practice for Local Authority Housing Allocations policies.
- c) The updated policy will provide for greater transparency in terms of allocations outcomes.
- d) The updated policy will ensure that the council will continue to house those in the greatest need.

RECOMMENDATIONS TO CABINET:

Cabinet is asked to:

1. Receive and note this report C/16/122.
2. Agree that the proposed Housing Allocation Policy changes should be subject to public consultation.
3. Agree that the Head of Communities has authority to approve any minor changes necessary to the Housing Allocation Policy in consultation with the Cabinet Member for Housing, following the consultation period.

1.0 Background

- 1.1 The council's current Housing Allocations Policy was approved by Cabinet at its meeting on 11 March 2014 (Minute number 13/101). This report sets out proposed changes to the Policy. The proposed changes will ensure that it takes full account of current Government guidance and good practice.
- 1.2 The proposals will provide more clarity for applicants and ensure that only people with a local connection and a housing need are permitted to join the Shepway Housing List.
- 1.3 If approved by Cabinet, the proposed changes will be subject to public consultation. Cabinet is requested to give authority to the Head of Communities to make any minor amendments necessary, in consultation with the Cabinet Member for Housing following the consultation period.

2. PROPOSED AMENDMENTS

- 2.1 The proposed changes to the policy are as follows:

2.2 Direct Lets (page 6) – it is proposed that this section of the policy should be amended so applicants who are accepted for a direct let accommodation offer should only receive one “reasonable offer of accommodation”. At present there is no restriction on the number of offers they can receive. This restriction will not apply to other applicants on the Shepway Housing List.

4.1 Financial Eligibility (page 9) – At present households with sufficient income and financial assets are placed in Band E. It is proposed that this section of the Policy should be amended so that applicants with sufficient financial resources (income and financial assets) should be excluded from joining the Shepway Housing List and will instead be sign posted to alternative housing option solutions.

5.2 Applicants with a history of unacceptable behavior (page 11) – it is proposed that this section of the policy should be amended to give a clear timeline to applicants who have a history of unacceptable behavior which excludes them from joining the Shepway Housing List, so they are aware of how long they will be excluded from the Shepway Housing List. It is proposed that the exclusion will be for a period of 2 years.

6.8 Deliberately worsening your housing circumstances (page 17) – it is proposed that an additional paragraph be included to advise applicants of their responsibility to request a review of their application. Applicants who are found to have worsened their circumstances are placed in a lower priority band for a period of twelve months and are able to request a review at the end of the period.

8.1 Assessment of Housing Need (page 18) – Government guidance sets out that councils should only include applicants with a clear local connection, and a genuine housing need on their housing lists. In line with Government guidance it is proposed that Band E should be removed from the Allocation Policy. Band E currently includes the following group of applicants:

- Applicants who do not meet the local connection criteria
- Applicants who do not have a housing need and are adequately housed
- Applicants who have the financial means of accessing private rented housing, home ownership either through Help to Buy schemes or open market accommodation.

It is proposed that applicants currently in Band E will be removed from the Shepway Housing List. The council's Housing Options Team will work closely with these applicants to ensure that are able to explore all the other available housing options in the district.

8.4 Management Moves (page 22) – this is a proposed new section to the policy which sets out the details of the limited circumstances in which the council will grant a management move to existing council and housing associations tenants in Shepway. Applicants accepted for a management move will only receive two 'reasonable offers of accommodation'.

8.5 Assessing Local Connection (pages 22 – 23) – It is proposed that members of an applicant household currently living away to attend college or university can be included on the household housing application.

It is proposed that the council implement the Governments Right to Move scheme in line with statutory guidance. The Right to Move is intended to allow existing social tenants to apply to move across local authority boundaries and not be disadvantaged by local connection criteria with the intention of preventing hardship and encouraging tenants into work. The guidance "strongly encourages" local authorities to make a quota of at least 1% of lettings available for the Right to Move each year and the proportion should be reviewed and revised as appropriate. It is proposed that applicants accepted on the Shepway Housing List under the Right to Move should be placed in Band C and should receive one reasonable offer of accommodation.

In order to comply with the Government's Armed Forces Covenant, it is proposed that the armed forces personnel definition in this section should be extended to include members of the reserve forces.

It is also proposed that members of an applicant household currently living away from homes and serving in the armed forces should be included on the household housing application.

8.6 Supported Accommodation (page 23) – it is proposed this section will be amended to include Care Leavers ready to move into independent accommodation so that they are able to move on as quickly as possible. This is to make sure Supported accommodation is available to those in the

greatest need.

11.1 Debts – Rent Arrears and Former Tenant Arrears (page 30) – this section requires more clarity to ensure applicants take responsibility and address any housing related debts before they can be considered for an offer of suitable accommodation. It is proposed that in most cases, housing applicants will only receive an offer of accommodation where they have cleared all of their housing related debt.

3.0 RISK MANAGEMENT ISSUES

3.1 A summary of the perceived risks to the council is shown below:

Perceived Issue	Seriousness	Likelihood	Preventative Action
Failure to take account of the most recent Government Housing Allocations – guidance and possible legal challenge by applicants.	High	Low	Adoption of the draft revised Shepway Housing Allocations Policy.
Shepway’s Housing Allocations Policy is perceived to lack transparency and fairness within the local community.	High	Low	Adoption of the revised Housing Allocations Policy. Completion of a comprehensive consultation process prior to the policy being adopted.

4. LEGAL/FINANCIAL AND OTHER CONTROLS/POLICY MATTERS

4.1 Legal Officer’s Comments (NE)

There are no legal implications arising directly from this report. However the legal team should be consulted as and where necessary

4.2 Finance Officer’s Comments (LH)

The proposals set out in this report will be delivered through existing financial resources

4.3 Diversities and Equalities Implications (SS)

An impact assessment will be carried out once the public consultation has been completed.

4.4. Communications Officer (ML)

The purpose of the review is to update the policy to keep it in line with government legislation. A full consultation will be undertaken through the Kent Homechoice website for current applicants; on Shepway’s website consultation page for the

wider public; with other Local Authorities in Kent and Medway Councils; Shepway's Statutory and Voluntary agencies; Registered Providers' partners and East Kent Housing.

If recommendations are adopted by the council they will need to be communicated clearly so people currently on the housing list and those who are applying to join are aware of the changes and the impact on their circumstances. If the removal of Band E removes a large number from the housing list it will need to be decided if this will need to be explained more widely.

5. CONTACT OFFICERS AND BACKGROUND DOCUMENTS

Councillors with any questions arising out of this report should contact the following officer prior to the meeting

*Report Author, Sandra Sainsbury, Housing Strategy & Partnerships Officer
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The following background documents have been relied upon in the preparation of this report:

Government Guidance on Right to Move
Localism Act 2011

Appendices:

Appendix I - Current Housing Allocation Policy with the proposed Amendments

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