



HILLINGDON  
LONDON

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**Review of the London  
Borough of Hillingdon's  
Housing  
Allocations Policy**

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**Draft**

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## **1. Introduction**

The Localism Act introduces new freedoms for local authorities to determine how they allocate social and affordable housing. There is opportunity to revise the Housing Allocation policy to give priority to certain groups reflecting local need and to build more sustainable communities.

The Council will work with partners to review the housing allocations policy in light of the Localism Act 2011, Welfare Reform Act 2012 and GLA Housing Strategy. The review will take account of new regulation, changes in housing market conditions and local priorities.

## **2. Objectives of the Housing Allocation policy**

Factors relating to homelessness, allocations of social and affordable housing and the use of private sector housing will all be taken into account as part of a strategic review of 'access to housing' in order to help people in need find housing solutions of different tenure.

The policy will support the objectives of the Housing Strategy, Tenancy Strategy and Tenancy policy. It aims to ensure that:

- The scarce resources of social housing is used flexibly and not provided to those households who do not require it.
- Social and affordable housing is used as effectively as possible to meet housing need in the Borough
- The use of social housing reduces reliance on inappropriate and costly forms of temporary accommodation.
- Vulnerable people within social housing are provided with stability and support
- Allocation of housing tackles health inequalities

## **3. Maintaining a basic safety net**

In order to maintain the protection provided by the existing statutory 'reasonable preference' criteria, Councils must continue to give priority to those most in need. Those groups are:

### **3.1 Homeless household**

A key concern in regard to safety nets is around homeless people. Currently, those who are found to be homeless under Part 7 of the Housing Act 1996 can expect to be offered a long-term home, usually a social tenancy. Although some 55% of potentially homeless households in Hillingdon accept a private sector tenancy, it can only be offered as an option to a homeless household but full duty is not discharged if it is refused.

The Localism Act 2011 allows Councils to discharge duties into the private sector where possible and outside of local boundaries (without consent of the applicant). Placing someone into good quality private accommodation may be a much better solution than staying in temporary accommodation. However, in order to be considered, the property must be suitable and affordable. In

addition, should the applicant lose the accommodation within 2 years through no fault of their own, the full housing duty will be owed if they re-present as homeless.

### 3.2 Overcrowded households

The government is encouraging Councils to adopt the “bedroom standard” as the measure for overcrowding and recommend that Councils move away from statutory over-crowding. Under the “bedroom standard”, a bedroom is allowed for each married or cohabiting couple, adult aged 21+, pair of adolescents aged 10 to 20 years of the same sex, or pair of children aged under 10 years regardless of sex. It is proposed to adopt the bedroom standard in Hillingdon.

### 3.3 Households living in unsatisfactory housing conditions.

There is provision in the current policy to award the relevant priority to affected households. No change is proposed as this is already the case in Hillingdon.

### 3.4 Households with medical and welfare need

Councils are reminded to look at alternatives to moving, such as adaptation and to work with social care specialists to consider welfare grounds including care leavers and people with learning difficulties. Households are given priority based on extent of need on medical and welfare grounds. No change is proposed as this is already the case in Hillingdon.

## **4. Local flexibilities**

Councils are encouraged to set their own criteria and decide who is eligible to join the housing register. In addition, Councils are entitled to give priority to other categories of applicants in order to meet local needs, provided they do not dominate the scheme. The Council can take advantage of this opportunity in the following areas as set out in government guidance:

### 4.1 Excluding households with no housing need (Band Ds)

This will enable the Council to operate a more focused waiting list which better reflects local circumstances and can be understood more readily by local people. It will also help in managing unrealistic expectations by excluding people with little or no prospect of being allocated accommodation. It is recommended this is adopted. They will be signposted and given relevant information and advice through the use of mechanisms such as ‘Targeted housing option’ website.

### 4.2 Ex-service personnel

Although this is in the current policy, priority is given to those households who have some connection with Hillingdon. However, recent government guidance recommends that members of the armed forces shouldn’t be disqualified on residency grounds, as follows:-

- a) Members of the Armed Forces and former service personnel where the application for housing is made within 5 years of discharge
- b) Bereaved spouses and civil partners of members of the Armed Forces leaving Services Family Accommodation following the death of their

spouse or partner and the death was wholly or partially attributable to their service.

- c) Serving or former members of the Reserve Forces who need to move because of serious injury, medical conditions or disability which is wholly or partially attributable to their service.

It is further recommended that additional priority is given to members of the forces who have continuously resided in the Borough for 10 years before signing up for the service and have not been dishonourably discharged.

#### 4.3 Rewarding those who work.

Priority is currently awarded to those who meet this criteria. Although households who were awarded priority were in line with the original estimate, the number of those housed was negligible. In order to reward working households and encourage non-working households to work, the new policy will be based giving extra priority to households in housing need if they are in work. The policy will apply to households where:

- At least one adult household member is in employment.
- The employment is a permanent contract, self-employment or part-time for a minimum of 24 hours per week.
- The worker should have been in employment for 9 out of the last 12 months.

Additional priority will be awarded as follows:

- Band A – If the household's housing need is 'Band B' + working
- Band B - If the household's housing need is 'Band C' + working

#### 4.4 Introducing a residency criteria

Applicants would be required to demonstrate that they have been residing in the Borough for a minimum of 10 years in order to join the housing register, regardless of their other needs.

However, there are potential risks to some groups who are recommended to be exempt from this requirement. They include:-

- People who have served in HM Forces in the last 5 years.
- People over 60 who would benefit from sheltered housing. They will be considered for sheltered housing after other households who meet the residency criteria.
- People who are under-occupying their current social housing.
- Emergency cases where homes are damaged by fire, flood or other disaster if it is not possible to repair the existing home, or if any work to repair is to take such a long period of time that there will be serious disruption to family life.
- Cases nominated under the Police Witness Protection Scheme or other similar schemes that the Council has agreed to be part of.
- Households who need to move to the Borough to avoid hardship.  
Hardship grounds include:

- The need to move to take up a confirmed offer of permanent employment
- The need to move to specialist facilities where they receive care but live outside the Borough
- The need to move to receive or give care/support (meaning higher care costs or even the use of residential care for those who cannot move)
- People fleeing violence or harassment
- Children spending time away from home due to periods of study such as at university
- People who have moved away for up to 3 years due to the requirements of their job

Potential unintended consequence that the review will try to mitigate could be that the households resort to 'homelessness' as a route into housing.

People placed in Hillingdon in temporary, residential or supported accommodation by another local authority or have family members in the Borough will not meet the residency criteria.

#### 4.5 10 year continuous local residency

Currently households who are in housing need and have lived in the Borough continuously for a minimum of ten years are awarded 'Band C' priority but the full benefits of the original policy has not been realised because any household in housing need automatically gets 'Band C'.

Households in housing need who have lived in the Borough continuously for a minimum of ten years at the time of applying for re-housing will be awarded additional priority. This will support stable communities and reward households who have had a long term attachment to the Borough.

- Band A – If the household's housing need is 'Band B' + 10 year residence
- Band B - If the household's housing need is 'Band C' + 10 year residence

#### 4.6 Financial circumstances

Currently households with a joint income of more than £30k, own a property or have savings/assets of more than £30k (subject to affordability test) are able to go on the housing register, although they are awarded 'Band D'.

It is recommended that in future people with sufficient income or assets are excluded. This will apply to:

- Any household who owns or have an interest in a property.
- Any households with a gross income above the level required for local cost home ownership which will be reviewed on an annual basis to reflect market conditions. Current income level for 1 and 2 bedroom properties is £64k and £77k for 3+ bedrooms.
- Any household with savings or assets of £30k.

For homeless households, an affordability test will continue to be applied to ensure there is consistency of outcome.

In addition, it is recommended that Hillingdon include the following as specific local priority:

#### 4.7 Couples aged over 21 without children

This group is currently awarded priority but the additional requirement for the household to be in housing need has adversely impacted on the full benefits of the original policy intention as fewer households have been housed. It is proposed to retain the housing need criteria but to award a higher priority band in order to increase access to local people. Additional priority will be awarded to those who are also working but are on low income making it difficult for them to access low cost or outright home ownership.

#### 4.8 Enabling fostering and adoption

There is provision in the current policy to award priority 'Band A' to those households where agreement has been reached to provide accommodation on recommendation of Social Services. No change is proposed

The Council's preferred minimum tenancy length for families with children is 5 years. Shorter fixed term tenancies (e.g. two years) would be acceptable in circumstances where fostering or adoption is the main reason for a social tenancy being allocated

#### 4.9 Encouraging personal responsibility - suspension of applicants

- Under current policy, 1 month's priority time is removed from households who fail to attend viewing of properties they have successfully bid for. This has proven difficult to administer. As applicants can bid and refuse as many properties as they want, some applicants place bids on a property even though they have no intention of accepting an offer. This can increase the amount of time a property is left empty. It is proposed to introduce a more effective system where applicants who bid for and refuse more than 3 reasonable offers within a 6 month period are suspended from bidding for a period of 6 months.
- There is also provision to make one direct allocation to homeless households who do not bid and have been in temporary accommodation for longer when compared to others in the same priority and bedsize need. Again this has been difficult to administer and it is proposed that where homeless households in temporary accommodation do not bid over a period of time, a direct allocation can be made by the Council.

### **5. Balancing the needs of new and existing tenants - making the best use of housing stock**

Under the Localism Act, transfers at the tenant's request can be dealt with outside of the main allocation scheme unless the tenant has reasonable preference. As many tenants wanting to move are in a 'reasonable preference' category – overcrowded, sick or needing to move on welfare grounds – they would be on the main allocation scheme.

There are some tenants who are moved in order for the Council to make the best use of stock. This includes transfer due to under-occupation and those

initiated by the authority for management purposes, decants, release of adapted properties and rehousing of ex-service tenants. There is provision allowing Councils to use a single allocation system if they identify the tenants they want to prioritise for moves or to use a separate register. No change is proposed to the tenant groups above. However, unauthorised occupants who are not statutory successors will no longer be offered a transfer into a social tenancy.

It is also recommended that provision is made to deal with hard to let properties by allowing applicants for specific type of properties like sheltered housing to join the housing register even if they do not meet the other eligibility criteria.

## **6. Determining priorities**

There is no guidance as to how much priority should go to the groups with 'reasonable preference' compared to tenants wanting to move or other local priorities. This is likely to lead to challenges to Allocation schemes that seek to give a large percentage of allocations to people who are not 'in reasonable preference'.

It is recommended that this is managed through an annual lettings plan which will enable the Council to set out the proportion of available lettings that will go to each group. The targets will be reviewed annually in order to take account of changes in demand and supply.

## **7. Choice**

There is no longer any commitment to Choice based lettings (CBL) and Councils may choose to allocate social housing in any other way, so long as there is regard to legislation and guidance and publish a statement on choice.

However, the advantages of the CBL system should be considered before deciding to adopt an alternative. There were significant costs associated with moving to CBL and Hillingdon is a co-founder (owner) of Locata Housing Services. There continues to be advantages of transparency with the scheme and there is an opportunity now to give much clearer advice to those who do not have any realistic chance of being housed through CBL (Band Ds) as they will not be eligible to apply on the housing register and therefore given alternative personalised advice through the use of mechanisms such as 'Targeted housing option' website.

However a Council chooses to allocate properties, it will require the use of a computer system to administer those allocations. The current recommendation from officers is to continue with a choice based system at present, but to review this on an annual basis including the outcomes of the current policy. An annual report will be provided to the Portfolio Holder for Social Care, Health & Housing and the Leader with the impact of the policy and a review of how a choice based system is working.

## **8. Key implications**

Under these proposals the Council will continue to meet its statutory obligations and local priorities. In addition, provisions in the Localism Act mean that there will no longer be an automatic link between a homeless application and a social housing tenancy as the Council can use the new power to discharge homelessness duty by an offer of a property in the private sector.

A consequence of the changes is likely to be a balance in allocations going to homeless households, transferring tenants and other local priority groups for example working households, childless couples and ex-service personnel.

## Summary of proposals

	<b>Household group</b>	<b>Current policy</b>	<b>Proposed policy</b>
<b>1</b>	<b>Households who meet statutory 'reasonable preference' criteria. Includes those who:</b>	Prioritised as follows:	
	a) Are homeless	Band A – End of lease. Band B – Placed in B&B or hostel. Band C – Placed in other forms of temporary accommodation.	Discharge duty into the private sector where possible (without consent of the applicant)
	a) Are overcrowded	Band B – Statutory/severe overcrowding Band C – Other forms of overcrowding	Adopt the bedroom standard
	b) Live in unsatisfactory housing conditions	Band A – Statutory e.g. closing order, CPO Band B – Children in unsanitary or unsatisfactory housing. Band B – Children in Colley House which was purpose built for single people. Band C – other unsanitary or unsatisfactory housing.	No change
	c) Need to move on medical or welfare grounds	Bands A, B & C – Medical grounds Band B – Welfare grounds agreed in liaison with Social services, police, welfare agencies (care leavers, child protection, releasing supported housing, give/receive care, ex-tenant discharged from an institution) Band C- Welfare grounds - to assist Social services in delivery of a care plan.	No change

<b>2</b>	<b>Households who meet additional local priority. Includes:</b>	Prioritised as follows:	
	a) Ex-service personnel	Band B	Extend provision to bereaved spouses and members of the Reserve Forces and award higher 'Band A'.
	b) Couples aged over 21 without children	Band C – those with housing need	Retain housing need criteria but award higher 'Band B' to those who are also working.
	c) Working households	Band C – those with housing need	Retain housing need criteria but move up one priority band as follows: Band A – if already in 'Band B' and working. Band B – if already in 'Band C' and working.
	d) Those with local connection of 10+ years	Band C – those with housing need	Retain housing need criteria but move up one priority band as follows: Band A – if already in 'Band B' and 10 year residence. Band B – if already in 'Band C' and 10 year residence.
	e) Enable fostering & adoption	Band A - Where agreement has been reached to provide accommodation on recommendation of Social Services and the current accommodation is not suitable.	No change to priority but shorter fixed term tenancies (e.g. two years) may be offered where fostering or adoption is the main reason for a social tenancy being allocated.
<b>3</b>	<b>Qualification for joining the housing register</b>	Anyone can join the housing register.	Apply some exclusions
	a) Households considered not to be in housing need (Band D)	Can join but have no prospects of getting social housing	Exclude from the housing register
	b) Residency restriction	Not in place.	Apply a 10 year residency restriction to join the

		housing register. This would prioritise established local families.
c) Income & asset restriction	Households with a joint income of more than £30k (subject to affordability test) are awarded 'Band D' on the housing register  Households who own a property or have savings/assets of more than £30k (subject to affordability test) are awarded 'Band D' on the housing register	Exclude the following households: <ul style="list-style-type: none"> <li>• Those who own or have an interest in a property.</li> <li>• Those with a gross income above the level required for local cost home ownership which will be reviewed on an annual basis to reflect market conditions. Current income level for 1 and 2 bedroom properties is £64k and £77k for 3+ bedrooms.</li> <li>• Those with savings or assets of £30k.</li> </ul>
<b>4</b>	<b>Making best use of housing stock - existing tenants</b>	Prioritised as follows:
a) Under-occupation <ul style="list-style-type: none"> <li>• Giving up 2+ bedroom</li> <li>• Giving up 1 bedroom</li> <li>• Support those who will suffer hardship as a result of housing benefit reductions (Welfare reforms)</li> </ul>	Band A Band B Not in place	No change No change Review options for assistance.
b) Management transfers	Band A – Imminent personal risk	No change
c) Decants	Band A – Permanent Band B – Lease expiry or essential repairs	No change No change
d) Releasing adapted property	Band A	No change
e) Ex-service tenants	Band A – Caretakers/Sheltered wardens	No change

	f) Older residents eligible for sheltered accommodation	Band C – Those aged 60+ who apply for sheltered only (even if they do not meet other eligibility criteria)	No change in order to be able to let 'hard to let' sheltered properties.
	g) Unauthorised occupants (non statutory successor)	Bands A & B	Not to be offered a transfer into a social tenancy.
<b>5</b>	<b>Encouraging personal responsibility</b>	Remove 1 month's priority time from households who fail to attend viewing or refuse a property	Households who successfully bid and unreasonably refuse 3 or more properties to be suspended from bidding for 6 months.
		Make one direct allocation to homeless households who <i>do not bid</i> and have been in temporary accommodation for longer when compared to others with the same priority and bedsize need	Make one direct allocation to be homeless households who have been in temporary accommodation for longer when compared with others with the same priority and bedsize need.
<b>6</b>	<b>Travellers site pitches</b>	Households apply on the housing register and pitches are allocated through choice based lettings	No change