

CHANGES TO THE HOUSING ALLOCATION POLICY

| | |
|---------------------------|--|
| Cabinet Member | Councillor Philip Corthorne |
| Cabinet Portfolio | Social Services, Health and Housing |
| Officer Contact | Neil Stubbings & Beatrice Cingtho, Adult Social Care, Health and Housing |
| Papers with report | Appendix One: Housing Register Demand March 2009 Appendix Two: Lettings analysis during 2004/2007 |

HEADLINE INFORMATION

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|---|--|
| Purpose of report | This report is presented to Cabinet for approval of the changes required to the Council's housing allocation policy. |
| Contribution to our plans and strategies | The recommendations contribute to the council's priority of improving health; housing and social care for residents. |
| Financial Cost | None |
| Relevant Policy Overview Committee | Social Services, Health & Housing |
| Ward(s) affected | All |

RECOMMENDATION

That Cabinet approve the following changes to the allocation policy:

1. Award additional priority to couples aged over 21 without children.
2. Award additional priority to those who have lived in the borough for a minimum of ten years continuously at the time of applying for re-housing.
3. Create a local lettings policy for ex-service personnel.
4. Allocate a fixed number of social housing units to the identified groups.
5. Designate additional blocks to those aged over 55.
6. Delegate authority to the Director of Adult Social Care, Health & Housing in conjunction with the Cabinet Member for Social Services, Health & Housing to review the properties designated as blocks for over 55s and amend the blocks so designated based on the principles agreed in the December 2008 report.

INFORMATION

Reasons for recommendation

1. One of the ways the Council can drive up aspirations and create a true borough of opportunity is through carefully thought out improvements to the Housing Allocations Scheme. The Council is proposing the three changes in order to encourage greater social responsibility within the community. As a result, officers have developed proposals to allocate a proportion of social housing to be targeted at specific client groups.

Alternative options considered

2. Not to approve the changes to the allocations policy as detailed within the body of the report.
3. To change some of the proposals detailed within the body of the report.

Comments of Policy Overview Committee(s)

None at this stage.

Supporting Information

4. One of the ways the Council can drive up aspirations and create a true borough of opportunity is through carefully thought out improvements to the Housing Allocations Scheme. To help facilitate this, the Council is therefore proposing three changes to encourage greater social responsibility within the community.

5. However, in making any proposal, the council has a duty to ensure they remain within the legislative framework governing the allocation of housing within its area.

6. The Council receives many housing applications from people who want to be housed every year. However, there are not enough properties to meet demand and the council has a system for prioritising allocation of properties based on housing need known as the 'Housing Allocation policy'

7. Allocation of council accommodation is set within a legal framework contained within the Housing Act 1996 and subsequent amendments made by Homelessness Act 2002. In order to ensure compliance with these provisions the council must give reasonable preference to certain groups. Within our choice-based letting system this is achieved using Bands A to C. This means that the highest priority for housing is given to people with the most need. These groups include:

- People who are homeless
- People occupying unsanitary, overcrowded or otherwise unsatisfactory housing
- People who require supported accommodation, for example sheltered accommodation
- People who need to move for medical or welfare reasons and
- People requiring accommodation as part of a care plan.

8. Under the Housing Act 1996, councils are also able to give additional preference to people in the above categories that are considered to have more urgent housing needs.

9. In making any change to the policy, the main principles to be considered are that:

- It does not significantly impact upon those with reasonable preference (under the Hillingdon scheme those in Bands A - C).
- It does not significantly impact upon the allocation scheme as a whole.
- It does not impact adversely on any particular needs group or community e.g. people from BME communities.
- The reason for the revision can be justified.

10. A table showing levels of demand for housing is contained within Appendix One whilst an analysis of lettings is shown in Appendix Two.

Changes to the allocation system

11. The following paragraphs of the report set out proposals for the allocation of certain units of accommodation to the following groups:

- Couples over 21 without children.
- Households with local connection, and
- Ex-service personnel.

12. It is proposed that in order to implement a legally sustainable proposal, the changes require allocating a fixed number of social housing to the three identified groups. Couples over 21 without children and those with local connection will be awarded additional preference. In practice, this means an additional 12 months to their waiting time which will result in a higher priority, as the principle of the allocation policy is that no one should overtake another client in the same priority 'band' except through length of waiting time. Ex-service personnel will be given priority under a local lettings policy that enables local authorities to take into account local circumstances.

Their needs have been balanced against the demand and availability of social housing in the borough to ensure that the changes do not significantly impact upon the housing allocation scheme as a whole. The rationale for the fixed percentage of properties is set out below following advice from Counsel as being legally compliant and liable to successfully withstand a legal challenge.

13. The council allocates approximately 1000 properties per year. Targeting 10% of the total lettings towards the identified groups are considered reasonable as this would correlate to 100 reserved properties.

Ex-service personnel will be reserved 10 properties per year whilst further research is carried out to establish the current level of demand from these groups. The remaining 90 properties have been split proportionally between childless couples and those who meet the local connection criteria currently within bands A to C i.e. current level of determined housing need.

14. There are 29 childless couples accounting for **22.13%** of the remaining 90 properties, meaning a proportional lettings figure of **20** properties. There are 102 households meeting the ten-year local connection criteria who would account for **77.87%** of the cases, meaning a proportional lettings figure of the remaining **70** properties.

Table One: Summary of proposal

| Identified groups | Demand | Fixed lettings |
|----------------------------|---------|----------------|
| Childless couples | 29 | 20 |
| Local connection 10+ years | 102 | 70 |
| Ex service personnel | Unknown | 10 |
| Total | | 100 |

The detail of the proposal for each group follows below:

New quota for couples aged 21 without children

15. As councils are able to give additional preference to particular groups who fall within the reasonable preference groups, couples aged 21 without children would be given additional priority. There are currently 29 childless couples aged between 21 and 54 on the register (see Table Two below) and it is proposed that a fixed number of 20 one bedroom properties units each year be allocated to this group.

- As this group are already in Bands A-C, the proposal is legally compliant, as they will not be depriving other groups within the allocation scheme of units that might otherwise have been allocated to them.
- Each year one bedroom general needs properties available to let represents approximately 33% of total supply (330 out of 1000). A quota of 6% is considered sufficient such that it will not skew the allocations to others who have reasonable preference and the allocation scheme as a whole.
- The justification in relation to the amendment needs to be backed up by evidence, which shows that social housing allocated to childless couples aged over 21 may affect future behaviour. We have been unable to obtain any studies or research in this area to date. It is therefore proposed that it is implemented as a pilot for a year whilst such research is commissioned to provide the evidence base to show that allocating social housing to this group can increase aspirations and employability in young couples who can then break any dependency cycles of low aspirations or levels of achievement before having children. This may be required in case of a legal challenge.

Table Two – Demand from Childless couples aged 21 to 54

| Demand from childless couples, aged 21 – 54 (Mar 09 snapshot) | | | | | | |
|--|-----------------------------|------------|----------|----------|-----------|--------------------|
| | | 0/1 | 2 | 3 | 4+ | Totals |
| White (79%)* | All Bands | 113 | 3 | 0 | 0 | 116 |
| | Bands A - C only | 17 | 2 | 0 | 0 | 19 (66%) |
| BME (19%)* | All Bands | 71 | 0 | 0 | 0 | 71 |
| | Bands A - C only | 5 | 0 | 0 | 0 | 5 (17%) |
| Other (2%)* | All Bands | 34 | 0 | 0 | 0 | 34 |
| | Bands A - C only | 3 | 0 | 0 | 0 | 3 (10%) |
| Unknown | All Bands | 6 | 0 | 0 | 0 | 6 |
| | Bands A - C only | 2 | 0 | 0 | 0 | 2 (7%) |
| | | | | | | |
| TOTALS | All Bands | 224 | 3 | 0 | 0 | 227 |
| | Bands A - C only | 27 | 2 | 0 | 0 | 29 |

* From 2001 census

Households with local connection

16. Most prospective tenants of affordable rented housing in Hillingdon are on low incomes and are fairly long term residents, having established strong local links in an area in terms of family, schools, health and social networks. This has resulted in a creation of stable communities where people have meaningful long term attachments and one of the ways of encouraging this stability is by helping meet their housing need.

17. In determining relative priorities between applicants who fall within one of the reasonable preference categories (those in Bands A-C), it is proposed to introduce an additional preference for those who have lived in the London Borough of Hillingdon for ten years continuously at the time of applying for re-housing.

18. Having analysed the 102 households who would be awarded additional priority for local connection reasons, officers have ensured that this proposal does not discriminate against any ethnic group in relation to the population in the borough as indicated below.

Table Three – Waiting time on the register 10+ years

| Waiting Times - 10+ years (Mar 09 snapshot) | | | | | | |
|--|-----------------------------|------------|----------|----------|-----------|----------------------|
| | | 0/1 | 2 | 3 | 4+ | Totals |
| White (79%*) | All Bands | 77 | 27 | 29 | 16 | 149 |
| | Bands A - C only | 19 | 11 | 19 | 14 | 63 (61.8%) |
| BME (19%*) | All Bands | 10 | 12 | 12 | 18 | 52 |
| | Bands A - C only | 2 | 4 | 7 | 17 | 30 (29.4%) |
| Other (2%*) | All Bands | 3 | 2 | 7 | 1 | 13 |
| | Bands A - C only | 2 | 1 | 5 | 3 | 9 (8.8%) |
| Unknown | All Bands | 0 | 0 | 0 | 0 | 0 |
| | Bands A - C only | 0 | 0 | 0 | 0 | 0 |
| All Bands | | 90 | 41 | 48 | 35 | 214 |
| TOTALS | | 23 | 16 | 31 | 32 | 102 |

* From 2001 census

Ex-Service personnel

19. It is proposed to introduce a local lettings policy for ex-service personnel. The objective of this scheme is to:

- improve the long term life chances of ex-service personnel households
- remove barriers to accessing social housing

20. Current homeless legislation recognises that some ex-service personnel are vulnerable and therefore entitled to housing assistance. However, vulnerability could be due to the circumstances under which they are discharged, age, disability, income or other post traumatic stress. Legislation has also been recently amended to address issues of intentionality and local connection such that when ex-service personnel vacate their quarters as a result of giving notice to leave the service, they are not considered to have made themselves intentionally homeless. In addition, the local connection requirement was abolished in July 2008 enabling ex service personnel to establish connection in an area in the same way as a civilian for housing purposes. Therefore under the homelessness legislation, barriers to social housing access for ex-service personnel have been addressed.

21. However, the Council recognises that there are other circumstances where access to alternative accommodation may be necessary without the immediate threat of homelessness or clear vulnerability. Under current Housing Allocation policy, priority in joining the housing register is not given to ex service personnel as a group but on an individual case basis, similar to other applicants. As the Armed Forces personnel are usually provided with housing during service, this can be problematic for those wishing to apply for social housing while awaiting discharge. For example, it can take up to two year for those awaiting medical discharge and yet during this period they are still considered as employed, therefore making alternative living arrangements during the process difficult.

22. In accordance with Section 167(2E), Councils are able to allocate accommodation to people of a particular description whether or not they fall within the statutory reasonable preference categories under a local lettings policy. It is therefore proposed to give sympathetic consideration to the housing needs of ex-service personnel by awarding them 'Band C' priority as a specific group.

23. Where the Council operate local lettings policies, it will need to ensure that overall, reasonable preference for allocations is given to applicants in the reasonable preference categories. Therefore, in order to ensure that this secondary criteria does not dominate the 'allocation scheme' at the expense of the statutory preference categories, it is proposed a fixed number of 10 social housing units a year be set as outlined in Table One of this report.

Designating additional blocks to those aged over 55

24. On 8th December 2008, Cabinet approved the designation of 8 blocks as older person accommodation. Following further enquiry from a Councillor about another block in the Uxbridge Ward, officers have carried out another review of the whole borough. This is because there is no written policy covering this area and previous identification of such blocks was based on staff memory, custom and practice built up over the years before the implementation of choice based lettings system in 2002.

As a result, 4 additional blocks have been identified which are currently not sheltered housing but are predominantly occupied and considered by tenants as older persons' housing.

25. It is therefore recommended that the 4 additional blocks in Table Four below be designated for occupation by residents over the age of 55.

26. It also recommended that delegated authority is given to officers to take properties in and out of the scheme as changes occur. This will be based on the same principles that Cabinet approved before, whereby blocks will be excluded if there are significant numbers of:

- 2 bedroom properties
- existing leaseholders and
- existing households under 55 years of age

Table Four

| Block | Total 1 bed units | Of which let to <55 | Of which sold | Total supply available for re-lets |
|---|--------------------------|-------------------------------|----------------------|---|
| Rickard Close, West Drayton. Nos 16-26 even and 28-38 even | 12 | 2 | 0 | 12 |
| Greatfields Drive, Hillingdon. Nos 1-6 [8 flats] and Nos 30-35 [6 flats] | 14 | 3 | 0 | 14 |
| Churchfield Close Hayes | 24 | 5 | 3 | 27 |
| Peter Fagan House [1-28], Guinness Close, Hayes | 25 | 3* | 0 | 28 |
| Total | 75 | 13 | 3 | 81 |

* Block of 28 includes three 2 bed flats let to people with disabilities under 55 years.

Financial Implications

27. The Council could incur legal costs if a judicial review challenge of the proposals is successful.

EFFECT ON RESIDENTS, SERVICE USERS & COMMUNITIES

What will be the effect of the recommendation?

28. The recommendation has been balanced so that there is no significant adverse impact on any particular group of the community as well as other households in housing need. In addition, whilst particular groups are awarded additional priority, it does not significantly impact upon the housing allocation scheme as a whole.

Consultation Carried Out or Required

29. A copy of the draft proposed alteration was sent to every Registered Social Landlord in the borough and West London authorities. In addition, information was placed on the council's website, Locata website and one edition of the Locata magazine. The tenants currently living in the blocks proposed to be designated to those aged over 55 were advised of the changes by letter.

30. Comments received were generally supportive of the proposals but individuals did express some reservations as to whether they will benefit from the changes when implemented.

31. Responses were also received from Paradigm Association, Thames Valley Housing Association and Hammersmith & Fulham who were mainly in support of the changes but required further detail on the implementation of the proposals. The latter however, raised some

concerns on the local connection proposal citing a policy of the BNP in Barking and Dagenham and the connotations this may have if adopted.

CORPORATE IMPLICATIONS

Corporate Finance

32. A corporate finance officer has reviewed the report and the financial implications within it, and is satisfied that the financial implications properly reflect the risks associated within the proposed changes to the Council's housing allocation policy. .

Legal

33. "Section 167(1), Housing Act 1996 requires every local housing authority to have an allocation scheme for determining priorities, and as to the procedure to be followed, in allocating housing accommodation. By section 167(8) a local housing authority shall not allocate housing accommodation except in accordance with its allocation scheme.

34. Before making an alteration to its allocation scheme reflecting a major change of policy, a local housing authority is required by section 167(7) to send a copy of the proposed alteration to every registered social landlord with whom it has nomination arrangements and afford them a reasonable opportunity to comment on the proposals."

Corporate Property

N/A

Relevant Service Groups

N/A

BACKGROUND PAPERS

1. Current Housing Allocations Scheme – available on the council's website under Housing Services, Allocations policy <http://lbho.hillingdon.gov.uk/housing/index.php>

Appendix One – Housing register demand as at March 2009.

Demand as at March 2009 (snapshot)

| | | | WHITE | BME | OTHER / UNKNOWN | TOTALS |
|---|------------------|--------|--------|--------|-----------------|--------|
| *Hillingdon Borough | | Number | 192120 | 46642 | 4244 | 243006 |
| | | % | 79.06% | 19.19% | 1.75% | |
| **Total Housing Register | All Bands | Number | 4124 | 3281 | 1082 | 8,487 |
| | | % | 48.6% | 38.7% | 12.7% | |
| | Bands A - C only | Number | 1759 | 1401 | 486 | 3646 |
| | | % | 48.2% | 38.4% | 13.4% | |
| **Homeless applicants | All Bands | Number | 588 | 578 | 139 | 1305 |
| | | % | 45.1% | 44.3% | 10.6% | |
| | Bands A - C only | Number | 523 | 543 | 131 | 1197 |
| | | % | 43.7% | 45.4% | 10.9% | |
| **Existing Council and Housing Association tenants wanting transfer | All Bands | Number | 1051 | 470 | 153 | 1,674 |
| | | % | 62.8% | 28.1% | 9.1% | |
| | Bands A - C only | Number | 676 | 288 | 106 | 1068 |
| | | % | 63.2% | 26.9% | 9.9% | |
| **First time applicants living in private sector or with family & friends | All Bands | Number | 2485 | 2233 | 790 | 5508 |
| | | % | 45.1% | 40.5% | 14.4% | |
| | Bands A - C only | Number | 560 | 570 | 251 | 1381 |
| | | % | 40.6% | 41.2% | 18.2% | |

Source:

* - 2001 census

** - Housing register demand

Appendix Two – Lettings analysis for all lets excluding sheltered units April 2004 to March 2007.

Lettings Analysis - Apr 2004 - Mar 2007 ("SUPPLY")

(EXCLUDING SHELTERED LETS)

| | All Age Groups | | | | | | |
|------------------|----------------|-------------------|-------------------|-------|-----------------|---------------------|---------------------|
| | With Children | Childless Singles | Childless Couples | TOTAL | % with children | % Childless Singles | % Childless Couples |
| All Bands | 1465 | 1378 | 132 | 2975 | 49.24% | 46.32% | 4.44% |
| Bedsits | 0 | 376 | 0 | 376 | 0.53% | 99.47% | 0.00% |
| 1 Beds | 4 | 888 | 96 | 988 | 0.40% | 89.88% | 9.72% |
| 2+ Beds | 1459 | 116 | 36 | 1611 | 90.56% | 7.20% | 2.23% |
| Band A | 156 | 183 | 29 | 368 | 42.39% | 49.73% | 7.88% |
| Bedsits | 0 | 60 | 0 | 60 | 0.00% | 100.00% | 0.00% |
| 1 Beds | 0 | 112 | 21 | 133 | 0.00% | 84.21% | 15.79% |
| 2+ Beds | 156 | 11 | 8 | 175 | 89.14% | 6.29% | 4.57% |
| Band B | 378 | 591 | 19 | 988 | 38.26% | 59.82% | 1.92% |
| Bedsits | 0 | 93 | 0 | 93 | 0.00% | 100.00% | 0.00% |
| 1 Beds | 1 | 476 | 8 | 485 | 0.21% | 98.14% | 1.65% |
| 2+ Beds | 377 | 22 | 11 | 410 | 91.95% | 5.37% | 2.68% |
| Band C | 882 | 500 | 64 | 1446 | 61.00% | 34.58% | 4.43% |
| Bedsits | 0 | 171 | 0 | 171 | 1.17% | 98.83% | 0.00% |
| 1 Beds | 3 | 264 | 49 | 316 | 0.95% | 83.54% | 15.51% |
| 2+ Beds | 877 | 67 | 15 | 959 | 91.45% | 6.99% | 1.56% |
| Band D | 49 | 104 | 20 | 173 | 28.32% | 60.12% | 11.56% |
| Bedsits | 0 | 52 | 0 | 52 | 0.00% | 100.00% | 0.00% |
| 1 Beds | 0 | 36 | 18 | 54 | 0.00% | 66.67% | 33.33% |
| 2+ Beds | 49 | 16 | 2 | 67 | 73.13% | 23.88% | 2.99% |