

Dacorum Borough Council

Draft Housing Allocations Policy

Consultation responses and consideration, March 2013

Housing Association (Registered Provider) feedback from forum event

A wide discussion on the policy was held and the overall feedback was positive.

It was brought to the Council's attention that Housing Associations have tenancy agreements that sometimes state the number of persons who can be allocated to a property. In some cases this may be different to the number that would be reached by applying the bedroom standard.

In these cases the Council will restrict the size of household able to bid for the property based on the property details received from the relevant housing association.

Homelessness Forum feedback

A further wide discussion on the policy was held and the overall feedback was again positive.

Agencies were clear that where their high-risk and supported-housing clients were being allocated priority for housing that they should be consulted as to whether a direct offer would be appropriate.

Summary of consultation responses received through the Council's public consultation

The council should:

- Make the local connection criteria even stronger / Give even more consideration to being born in the Borough.
- The local connection criteria should not be as strong, given that some other councils in Hertfordshire are operating a lower threshold.
- Raise the £60,000 threshold as the cut-off point to judge whether a household has sufficient financial means to meet their own housing need.
- Lower the £60,000 threshold as the cut-off point to judge whether a household has sufficient financial means to meet their own housing need to £25,000.
- Make the transfer policy easier for people looking for a bigger property / Make overcrowding a higher priority / Give more priority to having a child.
- Do more to encourage people that are in properties that are too big for them to downsize.
- Help people on low incomes who are paying extortionate private rents.
- Prioritise waiting time on the housing register.
- Consider the proximity of properties to local facilities as a factor when prioritising properties for older people or vulnerable groups.
- Prioritise those that work and pay full rent and council tax.

- Provide a standardised process for potential fosterers and adopters, rather than considering applicants on a case-by-case basis.
- Allow existing sheltered scheme tenants to swap into voids without going through the formal transfer process.

Requests for clarification:

- Are applicants accepted through the Housing Act 1996, Part 7 exempt from the qualifying criteria (including any 16/17 year olds placed into temporary accommodation)?
- Are bedroom sizes no longer taken into account?
- Will there not be any points for different genders sharing over 10 years old?
- Does the £60,000 threshold for savings relate to household or individual income?
- Could someone falling pregnant or losing their job through no fault of their own be considered to have deliberately worsened their circumstances?

Feels expressed:

- Frustration with living in overcrowded conditions when larger properties are being under-occupied.
- There may be inequalities in the annual re-registration and the bidding process for more vulnerable people having to use the telephone or internet.

Consideration of consultation responses

Housing Act 1996, Part 7

Applicants accepted through the Housing Act 1996, Part 7 will be exempt from the qualifying criteria. This has been clarified in the policy.

This includes any 16/17 year olds placed into temporary accommodation, however the Council will continue to work in partnership with Herts Young Homeless and make use of their 'crash pad' and supported accommodation to meet the housing needs of this age group.

Local connection

The Council considers that the local connection criteria in the draft policy are suitable to ensure that housing is allocated to local residents:

- The three criteria for local connection (applicants must meet at least one of the three criteria) are now stronger than the criteria in the previous policy, which was recognised by giving applicants points.
- The local connection criteria are now set as qualification criteria to the 'Active Register'. Applicants who do not meet at least one of the criteria will be placed onto a 'Deferred Register' and will not be able to bid for properties.
- Local connection to villages is still recognised.

The Council is committed to recognising its legislative obligations in relation to assessing eligibility based on immigration status. The local connection criteria have been set to ensure that housing is allocated to local residents with a long-term connection to the Borough.

The local connection criteria in the new policy include a recognition of those applicants who have been resident in the Borough for 10 or more years at some point in their lifetime. This

is to try and recognise those applicants born in the Borough or who have lived in the Borough for a major proportion of their life. The other two criteria applicants can meet to qualify to the Active Register require an applicant to have either, close family members who have been resident in the Borough for the last 10 years continuously, or to have been employed on a permanent basis in the Borough for at least 24 months for over 16 hours a week.

Priority for those in work

The Council is committed to housing those local residents in greatest housing need and does not differentiate between households based on receipt of any benefits. The Council is not considering providing greater priority to those in work as this is considered to be at odds with its commitment to meet housing need

Financial means threshold

The Council is committed to housing those local residents in greatest housing need. The number of lets each year to Council and Housing Association stock is very small given the scale of demand, and the Council considers that those households with an income of £60,000 or over can be supported to find other ways to access the local housing market.

The Council considers that the £60,000 threshold for household income is both reasonable and realistic in terms in expecting people to meet their own housing needs. This threshold is in line with the Homes and Communities Agency cut-off for providing assistance in the shared ownership market.

The threshold relates to the applicant and their partner, or to joint applicants. Therefore the joint income is what will be considered, which the Council considers to be a fair approach.

The £60,000 income threshold will be made clear in the draft policy to prevent any confusion.

Deliberately worsened circumstances

The Council would not consider someone falling pregnant or losing their job through no fault of their own as deliberately worsening their circumstances. The Equality Act 2010 bans unfair treatment of people because of protected characteristics, including maternity and pregnancy. Anyone in a situation through no fault of their own would not be penalised.

The Council considers that the draft policy has sufficient detail on what may be considered as deliberately worsening circumstances.

Overcrowding

The Council is committed to recognising the impact on households of overcrowding and the draft policy includes an award of points for applicants who are currently overcrowded (15 points for each member of the household lacking a bedroom using the Government's 'bedroom standard'). Transferring tenants can also try to find larger properties through the Council's mutual exchange scheme.

Having a child will give an applicant additional priority only when the additional child makes the applicant's current accommodation unsuitable to meet their housing need, which will most often occur because an additional child makes the household overcrowded.

Bedrooms

The 'bedroom standard' permits two children of different sexes to share a bedroom only until the eldest is 10 years old. At the point that two different sex children are sharing a bedroom and one of the children reaches their 10th birthday the applicant will receive additional points for overcrowding (the policy gives 15 points for each member of the household lacking a bedroom using the Government's 'bedroom standard').

Property adverts will continue to include bedroom sizes to assist households to make their own decision about whether a property is suitable for their household. The draft policy permits households to bid on properties with the number of bedrooms they need based on the Government's 'bedroom standard' which does not include bedroom sizes.

Under-occupation

The Council is committed to freeing up more three and four bedroom family homes by encouraging residents currently under-occupying to transfer to smaller properties – the draft policy has increased the points given to under-occupiers choosing to downsize to ensure they gain enough priority to be successful in bidding.

The Council has made a commitment in its Strategic Tenancy Policy (approved by Cabinet in January 2013) to adopt 'Flexible Tenancies', which are a new tenancy type introduced in the Localism Act 2011. The Council will start using Flexible Tenancies from April 2013 and this tenancy type will provide tenants with a five year fixed term. At the end of this fixed term the Council will carry out a review with a presumption to renew a tenancy, however if a property is being under-occupied at the point of review then the Council will require the household to bid for a smaller property.

Waiting time on the housing register

The Council is committed to using its Council stock and nominations to Housing Associations to prioritise need. The housing register is therefore a 'register' of people in housing need, rather than a waiting list. Council and Housing Association stock is very limited (just 400-500 lets a year) and there are over 6000 people on the housing register - this is a housing option for an increasingly smaller group of people. The Council has split its housing register into an Active Register and a Deferred Register - this is to manage the expectations of people who are bidding for properties when they are not realistically going to be housed through this housing option.

Affordability of the private sector

The Council is committed to housing those local residents in greatest housing need. The Council has an Advice and Homelessness Team who can discuss housing options with a local resident who feels that their current private sector tenancy is not sustainable. Where residents need assistance with completing the Housing Register application form this can be provided. Points are given to applicants on the Housing Register based on a number of priority categories set in law by central government.

Fostering and adopting

Due to the very limited number of larger family homes, the Council considers that it is reasonable to treat each household thinking about fostering or adopting children on a case by case basis.

Accessibility of the Choice Based Lettings system

The Council is very committed to equality of access to its services and has carried out a full equality impact assessment of this policy. The Council already sends around 170 paper copies of the newsletter out to applicants every week. The Council's Housing Options team will support individuals as appropriate to ensure that they have a suitable phone handset or receive assistance to bid. The Council has been operating a Choice Based Letting system since 2003 with these bidding mechanisms and has successfully assisted many applicants to bid for appropriate properties.

Proximity of properties to local facilities

The location of the property is specified on the property advert (street name, not property number) so that applicants can make decisions about which properties to bid on based on the suitability of the property to meet their housing needs.

The Council does not consider that it would be appropriate to try to alter the priority to different groups based on proximity of a property to services. The Council cannot know all the individual needs with a group and there may be competing needs, such as proximity to family members.

Voids and transfers in sheltered schemes

The Council takes on board a comment made regarding void turnaround times and this feedback has been forwarded to the Council's landlord lettings and asset teams.

In relation to the question of offering tenants the choice of a transfer without going through the correct and legal transfer procedure the Council does not consider this to be possible while maintaining fair and transparent procedures.