



<b>Report for:</b>	<b>Cabinet</b>
<b>Date of meeting:</b>	<b>19 October 2021</b>
<b>Part:</b>	<b>1</b>
If Part II, reason:	

Title of report:	
Contact:	Councillor Margaret Griffiths, Portfolio Holder for Housing Author/Responsible Officer – Natasha Beresford, Strategic Housing Group Manager
Purpose of report:	1. To inform members of the revisions to the Housing Allocations Policy and provide the opportunity for members to offer comments.
Recommendations	1. That Cabinet approves the implementation of the new Housing Allocations policy.
Period for post policy/project review	The Policy will be reviewed annually following implementation and upon any legislative change or case law revision.
Corporate objectives:	Providing good quality affordable homes in particular for those most in need  Building sustainable communities
Implications:	<u>Financial</u>  No identified financial implications for the service through implementation of the new policy.
'Value for money' implications	<u>Value for money</u>  The Housing Service & its costs are reviewed annually through a national benchmarking organisation (Housemark). The Council properties let via the Council's Housing Allocations Policy are let in line with the Rent Regulators framework.
Risk implications	The intention of this report is to comply with legislation and therefore avoid the risk of non-compliance.

Community Impact Assessment	Community Impact Assessment carried out as per Appendix 8.
Health and safety Implications	Health & Safety is an identified key risk for the Housing Service and is managed in line with corporate guidelines.
Monitoring Officer/ S.151 Officer Comments	<p><u>Deputy Monitoring Officer</u></p> <p>1.The allocation of housing accommodation by local housing authorities (LHAs) is regulated by Part VI of the Housing Act 1996. Further to Section 166A(1) of the Housing Act 1996 (as amended by the Homelessness Act 2002 and the Localism Act 2011) it is a statutory requirement for the council to have a scheme for determining priorities between qualifying persons and as to the procedure to be followed.</p> <p>2.It is good practice to review the schemes regularly to ensure compliance with the law and relevant guidance and that the scheme is addressing housing need effectively in the LHA's area.</p> <p><u>Deputy S151 Officer</u></p> <p>The proposed changes to the housing allocations policy will not have a direct impact on financial Strategy of the HRA.</p>
Consultees:	<p>Mark Gaynor – Corporate Director, Housing and Regeneration</p> <p>Oliver Jackson – Group Manager, Tenants and Leaseholders</p> <p>Layna Warden – Group Manager, Communities</p> <p>Tenant &amp; Leaseholder Committee</p> <p>Cybele Fernandes, Diversity &amp; Inclusion Lead Officer</p> <p>Portfolio Holder Chief Officer Group</p>
Background papers:	<p>Appendix 1 - Housing Allocations Policy 2017</p> <p>Appendix 2 – TLC Presentation November 2020</p> <p>Appendix 2a – Housing Allocations Policy TLC report</p> <p>Appendix 3 – Member Development presentation December 2020</p> <p>Appendix 4 – Consultation results (survey)</p>

	<p>Appendix 5 – Herts LA income thresholds and Local connection</p> <p>Appendix 6 – Village Connection data</p> <p>Appendix 7 – New Draft Housing Allocations Policy</p> <p>Appendix 8 – Equalities Impact Assessment</p>
Glossary of acronyms and any other abbreviations used in this report:	TLC – Tenant and Leaseholder Committee

## 1.0 Introduction

1.0.1 The Council’s current Housing Allocations policy was reviewed In November 2017 and adopted in April 2018 following Cabinet approval. There were minor amendments made to the policy by way of Portfolio Holder decision since adoption and the policy was last updated in February 2021. A copy of the current Housing Allocations Policy is at Appendix 1.

1.0.2 Local authorities are required to have a defined housing allocations scheme in line with the Housing Act 1996, Part 6 (Allocations). A housing authority allocates accommodation when it:

- selects a person to be a secure or introductory tenant of accommodation held by that authority;
- nominates a person to be a secure or introductory tenant of accommodation held by another housing authority;
- nominates a person to be an assured tenant of accommodation held by a Private Registered Provider.

The Act provides detailed explanation of the rules and exceptions governing the allocation of social housing. Local authorities must ensure that their allocations scheme is compliant with the framework, associated legislation and caselaw.

1.0.3 In accordance with the Localism Act 2011, each local authority has the right to determine its own Housing Allocations Policy. This allows local authorities to give “reasonable preference” to certain categories of applicants, ensure that properties are allocated in a fair and reasonable manner as well as enabling better management of stock. The defined policy sets out the rules that the Council must follow when letting properties. This also allows the Council to manage unrealistic expectations of those applicants who have little or no prospect of being allocated a property. It is a legal requirement that the policy is reviewed in the event of legislative and or caselaw change, in absence of such change the policy should be revised every 4 years.

## 2.0 Reviewing existing policy

- 2.0.1 In reviewing the existing policy, the service has engaged with key stakeholders and customers, regarding key service issues and trends identified during the life of the policy. This has been an extensive process with several opportunities for feedback to be provided.
- 2.0.2 Initial consultation was undertaken with the TLC in November 2020 (Appendix 2 and 2a), followed by a dedicated Member Development session in December 2020 (Appendix 3). This gave the opportunity for an overview of the Allocations Policy framework and discussion of key issues.
- 2.0.3 Internal service engagement was undertaken by the Housing Needs Team Leader through a series of 121 meetings and discussions at the Housing Operations Meeting. This, and the prior sessions with the TLC and Members, helped to inform the survey developed in partnership with the Corporate Communications team.
- 2.0.4 A public consultation was made available via a link on the Council's main Moving with Dacorum website, which was shared with key partners and promoted via social media, this provided a six- week window through February and March 2021 for stakeholders to give their feedback. Results of the survey can be seen at Appendix 4.
- 2.0.5 Following receipt of the survey results, there was final internal consultation via the Housing Senior Management Team in May 2021 proposing key changes that were to be presented to the TLC on 27 May 2021. Thereafter feedback and comments were shaped into the draft Housing Allocations Policy, which was discussed with the Portfolio Holder, Councillor Margaret Griffiths. This led to a further elected member group discussion in July 2021 relating to proposals regarding the local connection criteria, which helped to shape the final policy draft.

### **3.0 Revised policy development and key changes proposed**

- 3.0.1 The following points outline the key areas of change proposed in the new draft policy following extensive engagement.
- 3.0.2 The council retains 1906 supported housing properties, broken down these are 691 dispersed properties in the community such as bungalows and 1215 properties that are within a scheme. The Housing Needs Team have continually experienced challenges in allocating to supported housing properties for a number of reasons, which is primarily due to the stock not lending itself to modern living requirements of the applicants. In addition to this, and in line with the previous policy. a capital threshold of £250,000 was set for applicants in order to be eligible to apply for stock. Applicants owning property or having savings/capital above this value cannot be considered. Elected Members have been consulted and have provided no strong steer in relation to the threshold, however have been clear that letting supported housing stock is a priority. It is proposed to remove the capital threshold, which will enable more households to access social housing and reduce the number of vacancies in the stock.
- 3.0.3 Current Allocation Policy states that local connection should be 10 years residence in Dacorum at any point in an applicant's lifetime or 10 years residence of an immediate family member. In addition, applicants with 16

hours or more permanent employment within the borough boundary for 2 years or more would qualify for local connection. Applicants wishing to live in a village within Dacorum, would need to identify a local connection for 10 years or more to that village. It is proposed that the local connection is not reduced in line with the Homelessness legislation (6 out of last 12 months or 3 out of 5 years) and that it should remain as previously mentioned. In relation to village connection criteria it is proposed that this be reduced to 5 years (to specific village) with a 10 year Dacorum connection. This is to reflect the growing number of allocations being made to applicants without a village connection or less than 10 years.

- 3.0.4 Currently applicants applying to the housing register, must evidence that they have capital/savings below £16,000 and household income of no more than £60,000. The service is experiencing unprecedented demand for social housing, in many cases from households who are able to resolve their housing difficulty through their own means and do not require access to social housing. As a result, it is proposed to introduce tiered income thresholds for applicants joining the register, so as to ensure that social housing is for those households who are unable to access other forms of affordable accommodation. Proposed thresholds are indicated below:

1 bedroom: £40,000; 2 bedroom £50,000 and 3 bedroom + £60,000.

- 3.0.5 The Dacorum Bedroom Standard states that a pair of same sex children up to the age of 16 years old can share a bedroom and a pair of different sex children are entitled to their own bedroom once the eldest child reaches 5 years, in this instance overcrowding points are awarded. This was previously introduced to free up two-bedroom properties, however the change several years on has meant that there is an increased demand for three-bedroom properties which cannot be realised. Following engagement, it was deemed reasonable to propose that a pair of different sex children should be eligible for their own bedroom at the age of 10 years unless a medical need determines otherwise. This proposal may see a reduction in the number of households living in unaffordable accommodation as a result of the bedroom tax and brings the standard in line with Housing Benefit Regulations.

- 3.0.6 Throughout the review process the service has also considered feedback from complaints, MP enquiries and service requests. An observation of the current policy is that several areas are open to interpretation, which can lead to confusion for applicants and increased customer enquiries as a result, which impacts on service delivery and response times. The new draft policy seeks to resolve this by providing an increased level of detail regarding the application and assessment process, plus information regarding other related areas. In addition, there is a further intention that a suite of supporting documentation and detailed process maps will be developed to enable our customers to better self-serve, which is hoped will further reduce response times.

- 3.0.7 As the letting of social housing using the Allocations Policy framework is a statutory function, the service must ensure it is compliant with the legislative framework that underpins the policy. As a result, the new draft policy, which can be viewed at Appendix 7 has been reviewed by external counsel and the Council's own Legal Service prior to presentation to Portfolio Holder Chief Officer Group. The external Barrister has provided comments on the policy

and made minor amendments to wording and key statements, and has confirmed that the document is sufficient to comply with the legislative framework and associated caselaw.

- 3.0.8 The service has liaised with the Diversity and Inclusion Lead Officer to undertake an Equalities Impact Assessment, which can be seen at Appendix 8.

#### **4.0 Conclusion**

- 4.0.1 The Strategic Housing Service has completed a full review of the Housing Allocations Policy, which can be seen at Appendix 7. Full consultation has been undertaken with all key stakeholders and the policy is considered to meet the statutory framework.

#### **5.0 Recommendation**

- 5.0.1 That Cabinet approves the draft Housing Allocations policy at Appendix 7.

