

Agenda item: 

**Decision maker:** Cabinet Member for Housing

**Subject:** Housing Allocation Policy

**Date of decision:** 9<sup>th</sup> April 2013

**Report by:** Owen Buckwell Head of Housing Management

**Wards affected:** All

**Key decision:** No

**Budget & policy framework decision:** No

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## 1. Summary

This report makes recommendations for amendments to the Allocations Policy as a result of new freedoms granted to Local Authorities within the Localism Act 2011.

## 2. Purpose of report

To seek approval for changes to the council's Allocations policy in the light of new DCLG guidance and the Localism Act 2011.

## 3. Recommendations

- 3.1 That the Cabinet member for Housing approves the revised allocations policy that includes the amendments detailed below.
- a) That the policy is amended to ensure members of the **Armed Forces** and the **Reserve Forces** will **not** be disqualified as applicants for accommodation because they do not have a local connection with PCC's districts.
  - b) That the policy is amended to give **additional** preference to members of the **Armed and Reserve Forces** who fall within one or more of the reasonable preference categories and who have urgent housing needs.
  - c) That the policy is amended to introduce a **Local connection criteria**, defined below.
    - Anyone resident in Portsmouth (PO1 – PO6 postcodes)
    - Ex-Portsmouth residents, who have previously lived in the city for five continuous years or more of their adult life.

- Close family members of Portsmouth residents who have lived in the city for five years or more, who wish to move to the area to give or receive support.
  - Anyone with permanent full time employment in Portsmouth.
  - Anyone resident in the Havant Borough Council areas (PO7 - PO9 postcodes). Havant residents will only be eligible to be considered for council owned properties in the Havant area i.e. the Leigh Park, Crookhorn, or Wecock Farm estates.
- (d) That the policy is amended to give **additional preference to Portsmouth residents** who have been living in the city for 2 successive years or more.
- (e) That the policy is amended to include the following **changes to the banding scheme**.
- Additional priority for all social housing tenants who are under occupying a property.
  - No additional priority is awarded for living in shared accommodation.
  - No additional priority is awarded to applicants who fall within more than one reasonable preference category.
- (f) That **quiet blocks** are removed from the list of properties designated for specific categories of applicants and replaced by **over 50** blocks.

**3.2** That the Cabinet member for Housing approves the implementation of the revised allocation policy **for both new applicants and current applicants** registered on the waiting list.

#### **4. Background**

Following the Localism Act DCLG published new guidance for the Allocation of accommodation for local housing authorities in England. This report details those changes that have been deemed appropriate and of benefit to residents of Portsmouth and Havant in relation to the adoption of 3 new changes in policy for the allocation of accommodation under s.169 of the Housing Act 1996.

#### **5. Reasons for recommendations**

- 5.1 The allocations policy requires amendment in the light both of new guidance and imminent regulation.
- 5.2 The proposed amendments strengthen PCC's commitment to the Military Covenant through positive policy change.

- 5.3 Because the proposed amendments provide additional preference for persons with local connections which may result in the strengthening of local communities and enhancing individual residents sense of identity as a citizen of Portsmouth.
- 5.4 The changes to the banding scheme reflect the changing demand for social housing, the impact of the welfare reforms, and the lifting of the requirement for housing authorities to award additional priority to applicants with cumulative preference.
- 5.5 To formalise the removal of quiet blocks from the list of properties designated for specific categories of applicants. (see appendix 4)

## **7. Implications**

- 7.1 The amendments to the policy should have a positive implication for the residents of Portsmouth, for persons with local connections and for members of the Armed or Reserve services.
- 7.2 There may be a negative implication for some persons currently registered on the housing waiting list.
- 7.3 The change to the banding scheme, removing the additional priority for living in shared accommodation, will impact on single people and couples only, resulting in 123 applicants moving from the medium band to the low band, and 221 applicants being reassessed as adequately housed, and removed from the list.  
  
The implication of this change will only impact on applicants who are unlikely to be in a position to be offered social housing.
- 7.4 Introducing local connection criteria will impact on 102 applicants who are currently living outside the area.  
  
The implication of this change is that these applicants will need to be reassessed against the new criteria and those without a local connection will be removed from the list.
- 7.5 Awarding additional priority to Portsmouth residents of 2 successive years or more may impact on a maximum of 587 applicants. This is the number of people living in Portsmouth who have been registered on the list for less than 2 years. It does not necessarily mean that they are not long term residents.  
  
The implication of this change is that these applicants will need to be contacted to establish how long they have lived in the city, and reassessed accordingly.
- 7.6 A communication plan will be put in place to publicise the introduction of these changes. This will include articles in Flagship and House talk, as well as an all staff communication and letters to councillors.

7.7 Briefing sessions will also be arranged for councillors, housing staff, housing partners, social care and other agencies.

## **8. Duty to involve**

8.1 During 2010/11 six area based consultations were held for residents to confirm their preferences for the allocation criteria set out in the policy. The exercise confirmed their broad approval of our approach in giving priority to those in greatest housing need.

8.2 This policy has been the subject of consultation with the Resident Consortium Link Group and was agreed in November 2012.

8.3 This policy has been sent to all PCC Private Registered Providers with which we have a nomination agreement in November 2012 and those comments received considered in the light of the recommendations in this report.

8.4 An on-line survey was conducted during November to December 2012 and the majority of respondents were in support of the policy changes.

## **9. Equality impact assessment (EIA)**

A full EIA has been completed for this proposed policy change

## **11. Legal implications**

11.1 The Housing Act 1996 (as amended by the Localism Act 2011) requires local authorities to have an allocations policy and procedure in place in order to allocate social housing.

11.2 Part VI Section 167 Housing Act 1996 provides that every housing authority must have a scheme for determining priorities, and the procedures to be followed in allocating housing accommodation and under Part VII of the Housing Act 1996 (as amended by the Homelessness Act 2002) to make provision for homeless households.

11.3 The allocations policy must be framed so that “reasonable preference” is given to people who are homeless, eligible for assistance under the Housing Act 1985, people who are occupying insanitary or overcrowded or otherwise unsatisfactory housing, people who need to move on medical or welfare grounds (including grounds relating to a disability), and people who need to move to a particular part of the authority’s area where failure to meet that need would cause hardship.

11.4 Subject to the “reasonable preference groups”, an allocations policy may also make provision about the allocation of particular accommodation to persons of a

particular description, whether or not they are within the “reasonable preference” groups provided that accommodation is not allocated to ineligible persons.

- 11.4 Guidance for local housing authorities in England came into force on 18 June 2012, and authorities are required to have regard to it in exercising their functions under Part VI of the Housing Act 1996.
- 11.5 Before formulating its policy, the Council has an obligation to consult with Registered Providers and residents/service users on changes to the allocations policy and the Cabinet member should be satisfied that adequate consultation has been carried out.
- 11.6 In making a decision on whether to adopt the policy, the Cabinet member must also take note of the Council’s obligations under Section 149 Equalities Act 2010 and attention is drawn to the Equalities Impact Assessment referred to in this report.

**12. Head of finance’s comments**

- 12.1 Recent legislative changes, principally the Localism Act 2011, impact on social housing allocations and give local housing authorities the ability to make changes in the way they manage their housing registers, which aims to ensure long-term value-for-money savings are obtained by encouraging the most effective use of the council’s housing stock.
- 12.2 The 2013/14 budgets are sufficient to fund the proposals within this report and any additional works required to deliver the amended policy will be carried out using existing resources and will not result in any additional costs.

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Signed by:

**Appendices:**

- A. The revised allocation scheme, including appendices 1 and 2.
- B. Report on the designation of properties as Quiet Blocks

**Background list of documents: Section 100D of the Local Government Act 1972**

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
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The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by [title of decision maker] on [insert date of meeting].

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Signed by: [title of decision maker]