

## 12. REVIEW OF THE HOUSING ALLOCATION SCHEME

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Wards Affected: All  
Key Decision: No  
Report to: Council  
23 March 2016

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### Purpose of Report

1. Following its endorsement by the Scrutiny Committee for Leisure and Community at its meeting on 2 March 2016, to seek Council's approval of a revised Housing Allocation Scheme.

### Summary

2. This report sets out amendments that cover the following aspects of the current Housing Allocation Scheme in the order they appear in the document.
  - Providing false information
  - The Right to Move
  - Transfer applicants under-occupying accommodation
  - Allocation of ground floor and lift-access accommodation
3. In addition, a number of minor textual amendments have been made to some paragraphs to clarify, but not change, the meaning. A number of paragraphs have also been re-ordered to make navigation of the document easier.

### Recommendation

4. **Council is recommended to approve the revised Housing Allocation Scheme at Appendix 1 to take effect from April 2016.**

### Background

5. Local authorities may allocate affordable homes only in accordance with their adopted housing allocation scheme. The current scheme came into force from January 2015.
6. During 2015 the Government introduced Right to Move legislation. It has therefore been necessary to amend the current Scheme. The opportunity has also been taken to make further minor amendments, the need for which have come to light during the last 12 months of operation.
7. The draft revised Allocation Scheme can be found at Appendix 1. Proposed changes to the Scheme are highlighted on that document and are explained in detail in the remainder of this report.
8. Should the Scheme be approved by Council, the changes will take effect for both new and existing applicants from April 2016.

### **Providing false information**

9. A person may commit a criminal offence if he/she makes a false statement or withholds information in connection with their application for social housing, and risks on conviction a fine up to £5,000.
10. The current Scheme allows for such applicants to be refused entry on to the Council's housing register or, if already registered, removed.
11. However, to disqualify or remove an applicant for this reason it is necessary to introduce a new qualifying criterion to this effect so as to meet legal requirements. This has therefore been added at paragraph 11.8 in the revised Scheme.

### **The Right to Move**

12. The Right to Move, introduced by Statutory Instrument from April 2015, prohibits local authorities from disqualifying certain social tenants from joining their housing register on the basis of a lack of a local connection with the District.
13. Social tenants now have the Right to Move if they need to move because they work, or have been offered work, in another authority's area; and failure to meet that need would cause them (or others) hardship.
14. It has therefore become necessary to exempt such tenants from the local connection qualifying criteria to join the Council's housing register and this has therefore been added at paragraph 11.2.2 in the revised Scheme.
15. The Statutory Guidance relating to the new Right to Move encourages local authorities to set a quota for the proportion of properties that it expects to allocate each year to transferring tenants who need to move into their district for work related reasons and states that the Secretary of State strongly advises that such a quota should be set at a minimum of 1%. In Mid Sussex this would amount to 3 or 4 properties per year. A 1% quota has therefore been incorporated into the revised Scheme at the end of paragraph 11.2.2 on the basis that this is considered to be a reasonable proportion of allocations, taking into account the particularly high demand that exists from other Applicants who do have a local connection with Mid Sussex and the small number of requests that are likely to be made under the Right to Move. This quota can be reviewed if necessary in the light of changing circumstances.
16. Properties will not be left empty to fulfil this quota. If the quota is not taken up by those tenants wishing to move for work, then those properties will be available for others on the housing register.

### **Transfer applicants under-occupying accommodation**

17. The current Scheme prioritises existing social tenants who are living in Mid Sussex and are under-occupying their home and who have expressed a wish to downsize to a smaller property. This is done by placing them in Band A, the highest band, on the basis that assisting these tenants to move makes best use of scarce available housing.
18. Under the current Scheme, such applicants are allowed to bid for smaller properties that are still larger than their needs. For example, this allows a single person who is currently under-occupying a 3 bedroom house to bid for a 2 bedroom house even though a 1 bedroom dwelling would be large enough for their needs.

19. Whilst it is important to encourage tenants who may be under-occupying their homes to downsize, it is felt that the current arrangement does not make best use of the increasingly scarce housing available and that, in future, such applicants should no longer be allowed to bid on homes that are larger than their needs. However, it is felt that applicants who are entitled to bid for sheltered/retirement housing should continue to be allowed to bid for any 2 bedroom units in such accommodation, as and when these occasionally become available. The reason for this is that sheltered housing, by its nature, is restricted to older single people and couples, rather than families who could fully occupy a two bedroom home. The revised Scheme has been amended accordingly at paragraph 28.2.
20. Under the current Scheme, any 3 or 4 bed house that is released by a transfer applicant who is under-occupying is prioritised for other transfer applicants. It is felt that this is not necessary and so the revised Scheme has been amended accordingly at paragraph 28.2.

### **Allocation of ground floor and lift-access accommodation**

21. The current Scheme sets out special rules that are used to prioritise bids on flats and bungalows that have ground floor or lift access. The revised Scheme alters these priorities in the light of experience and with a view to providing a fairer way of prioritising such accommodation, as set out at paragraph 41.2.
22. Lettings of such homes account for 47% of lettings of general needs flats and bungalows, of which 67% are of 1 bed units, and so the way these are prioritised can have an important effect on which applicants are selected for a high percentage of lettings.
23. The current Scheme gives priority for these properties to bids from transfer applicants who are under-occupying their homes. It is felt that this is not necessary, given that such applicants are placed in Band A and so already have a high priority under the Scheme. The additional priority that is currently given for these properties has therefore been removed from such applicants in the revised Scheme.
24. Priority is currently given to bids from applicants who have a mobility issue on the basis that such accommodation is suited to them because of accessibility and this priority has resulted in 34% of such properties being let to those with mobility needs.
25. Applicants with mobility issues are divided into three Mobility Groups as follows:
  - Mobility Group 1 Full-time wheelchair user
  - Mobility Group 2 Part-time wheelchair user
  - Mobility Group 3 Person with limited mobility who can manage 3 steps
26. In the revised Scheme it is proposed to retain priority for bids from applicants in band A and band B who are in any Mobility Group. Priority would then be given to bids from applicants who are in band C who are in Mobility Groups 1 or 2. Priority would then move on to bids from other applicants, prioritising first by band and then by Priority Date, which is the date an applicant enters a particular band.
27. The effect of this alteration would be that bids from applicants in band C who are in Mobility Group 3 would no longer be given the additional priority they are currently given, but would instead be prioritised in the same way as other applicants in band C, including those applicants who have been accepted as homeless by the Council and who are waiting in temporary accommodation. Under the current arrangement, Mobility 3 applicants are given priority for these homes immediately on entering band

C and jump over the heads of others who may have been waiting some time. Under the revised arrangements, these applicants will gradually rise up band C as their Priority Date ages and so they will still have a reasonable opportunity to access such units if they need them. They may have to wait longer, however, than they currently do.

28. Although this proposed revision removes the current advantage that is given to bids from Mobility 3 applicants for ground floor or lift-access properties, it is felt that the revised arrangements do not significantly disadvantage such applicants. They do, however, give other applicants who may have been waiting for some time in unsatisfactory housing an equal opportunity to access what is a significant proportion of lettings, representing some 47% of those to general needs flats and bungalows.

### **Policy Context**

29. A sound housing allocation scheme contributes to meeting the Council's aim to deliver opportunity and quality of life for all. Having a fair and transparent scheme that helps prevent homelessness and promote choice is also an integral part of our Housing and Homelessness Strategies and Tenancy Strategy.

### **Other Options Considered**

30. Some of the main options considered are set out in the report.

### **Financial Implications**

31. None.

### **Risk Management Implications**

32. There is always a risk that when changes are made to allocation schemes some unintended consequences arise. Any such impacts will be identified through the regular quarterly review of the Allocation Scheme, and options to address any such issues would be brought before this Committee.

### **Equality and Customer Service Implications**

33. Changes to the Housing Allocation Scheme have been the subject of an equality impact assessment. The proposal to remove the additional advantage given to Mobility Group 3 applicants in band C when prioritising bids for ground floor or lift-access properties will affect those who have only limited mobility and require this accommodation. However, it is considered that the measures set out in paragraphs 21 to 28 of this report will not significantly disadvantage such applicants but will ensure fairer access to these properties based on the time applicants in band C have been waiting in housing need.
34. The implementation of the allocation scheme is regularly monitored, and this will enable us to keep the impact of all of these changes under review.

### **Other Material Implications**

35. None

### **Background Papers**

None.