

MID SUSSEX DISTRICT COUNCIL

Housing Allocation Scheme Review

Summary of Proposed Amendments

Following consultation with housing providers and other partner organisations and Member approval, we are proposing to introduce a revised Housing Allocation Scheme to cover Council nominations to affordable housing providers. Subject to Council approval the revised Housing Allocation Scheme is to take effect from as soon as operationally possible after 26th June 2019. The proposed amendments, some of which will significantly affect a large number of existing housing applicants, are set out below. These are highlighted in yellow in the Allocation Scheme at Appendix 1. In addition there are a number of minor textual amendments to some paragraphs to clarify, but not change the meaning and ensure consistency with legislative changes, and these are highlighted in grey.

Proposed amendment	No of applicants affected	Reason for change/aim of proposal
1. In future, Clarion tenants living in Mid Sussex will be eligible to join the Council's Housing Register. (paragraph 11)	441 Clarion tenants currently registered on Clarion's HomeChoice register within Mid Sussex.	To ensure that fair access to all social housing in Mid Sussex is maintained for all those who are in housing need.
2. Bids from homeless applicants where the Council has a duty to ensure they have accommodation available to them under s.193 of the Housing Act 1996, (subject to some exceptions) will be given priority over bids from other Applicants in their Band. (paragraph 44)	Currently around 45 a year	This will provide such applicants with more opportunity to make a successful bid and to enable them to move on from temporary accommodation more quickly which will allow the Council to make more effective use of temporary accommodation.
3. Homeless applicants owed the main housing duty by MSDC under s.193 of the Housing Act 1996, will no longer be entitled to 12 weeks free bidding. They will be required to accept the first suitable offer. (paragraph 34)	Currently around 45 a year	Currently such applicants are allowed to refuse offers made as a result of successful bids in the first 12 weeks from the main housing duty being accepted under s.193 of the Housing Act. This is the case, even if the offer is suitable. This does not support the Council's duty under the Homelessness Reduction Act which provides that the s.193 duty comes to an end where a suitable offer is refused. In addition, this change will increase the opportunity of such applicants moving out of temporary accommodation as soon as possible.

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<p>4. It is proposed to add a time limit of 24 months for disqualification from joining the housing register for giving false information or withholding relevant information. (Paragraph 12.11)</p>	<p>4 in 2018 1 in 2017</p>	<p>Currently the time limit for disqualification is unspecified. In order to provide clarity it was initially proposed to provide a time limit of 5 years.</p> <p>Following consultation and reconsideration we are proposing to change the penalty for false information as follows: If it is found that false information has been given or relevant information withheld, the application will not be registered or, if already registered, the Applicant may be removed from the Housing Register and will not be able to reapply for a period of 24 months. Decisions to remove the person from the register will be made based on the seriousness of the false information given and an assessment of why the information was withheld.</p> <p>The reason for reducing the initial proposed change from 5 years to 24 months is that it is felt that 5 years is too punitive and 24 months is a reasonable period to deter applicants from providing false information in order to obtain an advantage on the Housing Register.</p>
<p>5. Extra Care Housing Schemes vacancies are currently allocated by a Multi-Agency Panel. A new approach is to be piloted. This will allow direct lettings via a process where an Extra Care Co-Ordinator employed by WSCC will enable the Allocation of Extra Care vacancies in partnership with the Extra Care Housing providers to best meet the housing and care needs of frail older people. (paragraph 11.2.4)</p>	<p>Approximately 16 a year</p>	<p>The Extra Care Panel does not support timely and efficient allocations. The model to be piloted operates successfully in the south of the county and meets the needs of frail older people in housing need more effectively and efficiently.</p>
<p>6. Allow in exceptional cases, with the agreement of the housing association and the Council's Housing Needs Team Manager, some homes to be allocated through Direct Allocation (paragraph 50)</p>	<p>Approximately 2 – 3 a year</p>	<p>This will allow those who are in exceptional housing need and require a particular type of property which rarely becomes available to be made a direct allocation. For example, a homeless applicant in unsuitable temporary accommodation provided by the Council who needs adapted accommodation.</p>
<p>Additional proposed amendments - following consultation agreed by Cabinet Member</p>	<p>No of applicants affected</p>	<p>Reason for change/aim of proposal</p>

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<p>7. Applicants owed the Relief Duty under s.189B of the Housing Act 1996 (as amended by the Homelessness Reduction Act 2017) and in priority need or likely to be in priority need, will be placed in Band C whilst the Relief Duty is owed. Banding will be reviewed at the end of the Relief Duty. Paragraph 15((3)(b)</p>	<p>Approximately 118 a year</p>	<p>In order to comply with new duties under the Homelessness Reduction Act 2017 it is proposed to place applicants who are owed the Relief Duty and who are in priority need or are likely to be in priority need in Band C whilst the Relief Duty is owed. The Council is advised that this proposed amendment reflects the reasonable preference owed to these applicants under the aforementioned legislation. It will also reduce the potential for those who would be owed the main duty from being in temporary accommodation for longer than necessary. (Paragraph 15 (3)(b)</p>
<p>8. At paragraph 26.2 have added examples of deliberately worsened circumstances</p>	<p>N/A</p>	<p>Provides examples for applicants and the Homemove team of when this clause may be applied.</p>
<p>9. At paragraph 30.1 Local Lettings Schemes – minor amendment requested by Raven Housing Association.</p>	<p>N/A</p>	<p>Raven Housing Association queried as some Local Lettings Schemes are for the lifetime of the scheme not just for 1st lettings.</p>
<p>10. Homeless applicants owed the relief duty by MSDC under s.189B of the Housing Act 1996, will not be entitled to 12 weeks free bidding. They will be required to accept the first suitable offer. (paragraphs 34 & 35.1(a))</p>	<p>Approximately 118 a year</p>	<p>Following the implementation of the Homelessness Reduction Act 2017 the Council has been advised that applicants who are owed the Relief Duty by the Council should not be entitled to 12 weeks free bidding. They will be required to accept the first suitable offer of accommodation. This change is in compliance with the Council's duties under the Act which provides that the Council's duty comes to an end where a suitable offer is refused. (Paragraph 34 & 35.1 (a))</p>