

SLOUGH BOROUGH COUNCIL

REPORT TO: Neighbourhoods & Community Services Scrutiny Panel

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WARD(S): All

PART I **FOR COMMENT & CONSIDERATION**

REVIEW OF HOUSING ALLOCATIONS SCHEME 2013-18

1. **Purpose of Report**

This report requests comments & consideration from the panel in relation to reviewing Slough Borough Council's Allocations Policy 2013-2018.

2. **Recommendation(s)/Proposed Action**

That the Panel considers and comments on the proposed changes to the Council's Housing Allocations Policy detailed in section 6 of this report.

3. **The Slough Joint Wellbeing Strategy, the JSNA, Five Year Plan and Housing Strategy**

The Slough Joint Wellbeing Strategy, the JSNA

3.1 Housing is one of the key priorities of Slough's Joint Wellbeing Strategy (SJWS). It contributes to reducing inequalities in health through access to high quality housing. There are clear links between housing and the JSNA priorities around improving health conditions, particularly mental health and protecting vulnerable children.

3.2 **Five Year Plan Outcomes**

Outcome 4 of Slough's new Five Year Plan 2017-2021 states: "Our residents will have access to good quality homes". This outcome recognises the critical links between improved health and wellbeing and affordable good quality housing.

3.3 **Housing Strategy**

Slough's Housing Strategy sets out the council's shared vision and priorities to provide sufficient, good quality, affordable housing. Theme 4 of the strategy commits: "The Scheme of Allocation for social housing will be reviewed to look at the priority for homeless people and vulnerable groups...".

4. Other Implications

(a) Financial

There are no direct financial implications arising from this report. However, indirectly there are very significant financial implications for the Council giving the rising numbers of homeless families residing in expensive temporary accommodation with some households having no realistic exit opportunities.

(b) Risk Management

There are no risk management implications arising from this report

(c) Human Rights Act and Other Legal Implications

The existing scheme has previously been reviewed by Counsel as legally compliant. As case law continues to arise there is a need to constantly review allocations policies. Here are some examples of schemes held to be unlawful:

Local authority	Date judgement published	Details
Ealing Council	Apr-16	20% of lettings allocated to working households
Ealing Council	Aug-15	Five-year residency test consequently barred a domestic violence victim from the housing waiting list
Westminster Council	Jun-15	Homeless households barred from the housing register for 12 months
Hammersmith and Fulham Council	Nov-14	Households in temporary accommodation disqualified from the housing waiting list

(d) Equalities Impact Assessment

The Council has a public sector duty under the Equalities Act 2010 to eliminate discrimination, harassment and victimisation and to promote equality of opportunity to all persons and to those who share a protected characteristic under the legislation.

An Equalities Impact Assessment has been conducted which has highlighted areas of concern particularly how the council deals with applicants having some need to move on medical/welfare grounds.

5. **Background Information**

5.1 The Housing Act 1996. 166A (3) is the primary legislation which sets out statutory reasonable preference categories:

- (a) people who are homeless (within the meaning of Housing Act 1996 Part 7);
- (b) people who are owed a duty by any local housing authority under Housing Act 1996 section 190(2), 193(2) or 195(2) (or under section 65(2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any such authority under section 192(3);
- (c) people occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions;
- (d) people who need to move on medical or welfare grounds (including any grounds relating to a disability); and
- (e) people who need to move to a particular locality in the district of the authority, where failure to meet that need would cause hardship (to themselves or to others).

5.2 The introduction of the Localism Act 2011 enabled local authorities to make local decisions on who should be given priority for an allocation of social housing. The Council changed its housing allocation scheme in January 2014 after a consultation with residents and stakeholders. The adopted scheme prioritised applicants:

- Living in Slough for a continuous period of 5 years
- Working/volunteering/being in work related training
- Fostering or adopting
- Having served in the armed forces
- Looked after children
- Social housing tenants under occupying their home
- The right to move – (regulations 2015)

5.3 The current scheme places applicants into one of three Bands:

Band A – Urgent need to move

Band B – Need to move with reasonable and additional preference

Band C – Need to move due to reasonable preference

5.4 Supply v Demand

The Housing Strategy is committed to provide more affordable housing. However, demand for homes always outstrips the supply available. The allocations policy in turn provides local homes for local people who are considered to be in the most housing need.

As at March 2017 demand on the housing register was:

	BAND A	BAND B	BAND C	TOTAL
OVER 50	3	40	85	128
1 BEDROOM	0	272	408	680
2 BEDROOM	2	438	332	772
3 BEDROOM	4	293	227	524
4 BEDROOM	2	94	65	161

5+ BEDROOM	0	29	18	47
TOTAL	11	1166	1135	2312

Social housing homes let in the period April 2016-March 2017:

	Band A	Band B	Band C	Homeless	Local Lets
OVER 50	17	47	35	2	0
0/1 Bed	13	75	0	13	0
2 Bed	19	44	0	40	1
3 Bed	3	19	0	32	3
4 Bed	0	3	0	3	0
TOTAL	52	188	35	90	4

Proposed changes to the Scheme

5.5 Medical priority

The current scheme awards an urgent priority (Band A) to those who have an urgent or life threatening condition exacerbated by their current housing situation.

Applicants assessed as having some need to move on medical/welfare grounds are placed in Band C. As at the end of March 2017 there were 69 applicants meeting this requirement.

It is unlikely that those placed in Band C on medical priority (unless in need of older persons accommodation) would ever receive an offer of social housing due to the large demand from band B.

Officers request that these groups of applicants are transferred into the additional preference band (B).

5.6 Homelessness

The current scheme awards an additional preference to agreed homeless households who meet the community contribution criteria.

It is well documented that due to external influences (welfare reform, higher private rental costs, migration from London boroughs) there has been a significant rise in the number of households in temporary accommodation. Such placements are costly and place an additional burden upon the General Fund.

Homeless households not meeting the community contribution criteria are unlikely to receive an offer of accommodation from the register. This is also because a number of homeless households do not meet the residence criteria of 5 years living in Slough.

Officers request that qualifying homeless households are transferred to band B irrespective of community contribution (109 as at the end of March 2017). It is also requested that other agreed homeless households who do not meet the 5 year residence criteria are placed into Band C irrespective of community contribution.

5.7 Offers of accommodation

The current scheme enables two offers of social housing to be made. In the last year 123 offers of council property were refused. In some cases newly built properties were refused because there was no right to buy or Right to Acquire. A legal review process is in place to deal with the suitability of all offers.

Officers request that, with the exception of those under occupying homes, that one suitable offer of accommodation is made. Applicants may re-apply to the register after a period of 24 months after an unreasonable refusal of a suitable offer.

5.8 Owner Occupiers

Owner occupiers are currently unable to join the housing register. Some older persons may benefit from a move into older persons housing. A provision of selling the existing home must be in place to facilitate any offer.

Officers request that any qualifying person over 60 years of age be able to join the register for an offer of designated housing for the over 60s.

5.9 Community Contribution

The current scheme requires those with a community contribution to have been in employment, volunteering or work related training for a continuous period of 12 months.

Officers request that this period is lowered to 6 months. Officers also request that any person working in a school or college is not penalised by this criteria during holiday periods.

5.10 Key Workers

There is a commitment in the Housing Strategy to provide accommodation for key workers (e.g. Teachers, Social Workers) dealing with vulnerable adults and children. Officers will be working on this commitment in the coming months.

Officers request that key workers are given reasonable preference when joining the housing register but these details are to be worked up by the beginning of the financial year 2018/19.

6. **Comments of Other Committees**

This report has not been commented on by any other committee.

7. **Conclusion**

7.1 Rationing access to Council or housing association homes is an unfortunate reality given the worsening supply and demand situation in Slough. It is right that the Council strikes the right balance between aspiration and dealing with deep-seated needs issues.

7.2 The next steps after discussion at this scrutiny committee is to fully consult residents on the proposed changes and then bring this back to a Members' Seminar before Cabinet approval. These initial proposals have been guided by a previous seminar with Councillors.

8. **Appendices**

None

9. **Background Papers**

Housing Allocation Scheme 2013-2018
Equality Impact assessment
Homeseekers Newsletter 2017-18