

# Supplementary Committee Agenda



## ***Housing Scrutiny Standing Panel Tuesday, 22nd October, 2013***

**Place:** Committee Room 1, Civic Offices, High Street, Epping

**Time:** 5.30 pm

**Committee Secretary:** Mark Jenkins (The Office of the Chief Executive)  
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**13.a Government Consultation Paper "Providing Social Housing for Local People"**  
(Pages 3 - 12)

(Director of Housing) The Chairman of the Panel has agreed this extra item for the agenda. To consider the attached report and consultation.

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## **Report to Housing Scrutiny Panel**

**Date of meeting: 22 October 2013**

**Portfolio: Housing – Councillor D. Stallan**

**Subject: Government Consultation Paper  
“Providing social housing for local people”**

**Officer contact for further information:  
Roger Wilson extension 4419**

**Committee Secretary: Mark Jenkins extension 4607**

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### **Recommendations/Decisions Required:**

**(1) That the Housing Scrutiny Panel receives an oral report on the recently received DCLG Consultation Paper “Providing social housing for local people” which is attached at Appendix 1; and**

**(2) That consideration be given to any Council response to the Consultation Paper.**

### **Report:**

1. The Department for Communities and Local Government (DCLG) issued a consultation paper on 14 October 2013 entitled “Providing social housing for local people, Strengthening statutory guidance on social housing allocations.” The Consultation Paper is attached at Appendix 1 to the report. The closing date for responses is 22 November 2013.

2. As the Consultation Paper was received after the Agenda dispatch, the Housing Scrutiny Panel is asked to receive an oral report on its detail. As the Paper could have implications to the Council’s recently revised Housing Allocations Scheme, the Housing Scrutiny Panel is asked to consider if the Council wishes to respond.

### **Reason for decision:**

4. To give the Housing Scrutiny Panel the opportunity to consider the Government’s Consultation Paper and, if appropriate, agree a response in order to influence and comment on the Guidance.

### **Options considered and rejected:**

5. Not to consider or respond to the Government’s Consultation Paper.

### **Consultation undertaken:**

6. The Tenants and Leaseholders Federation will be consulted on the Paper at their meeting on 31 October 2013 and will be invited to submit its own views to the CLG directly.

**Resource implications:**

Budget provision: None

Personnel: None

Land: N/A

Community Plan/BVPP reference: N/A

Relevant statutory powers: Housing Act 1996; Localism Act 2011

Background papers: None

Environmental/Human Rights Act/Crime and Disorder Act Implications: None

Key Decision reference: (if required) N/A



Department for  
Communities and  
Local Government

# Providing social housing for local people

Strengthening statutory guidance on social housing  
allocations

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# Introduction

1. This Government has taken robust and radical measures to increase the supply of social housing and to enable it to be used more flexibly.
2. Through the Localism Act we have given back to local authorities the freedom to better manage their social housing waiting list. Local authorities can now decide who qualifies for social housing in their area, and can develop solutions which make best use of the social housing stock. The Department proposes to issue new statutory guidance to help local authorities make full use of their new allocation freedoms by tailoring their allocation priorities to meet the needs of their local residents and their local communities.
3. We have also taken decisive steps to increase the supply of affordable housing, with £19.5 billion of public and private investment in the current Spending Review, and up to £23.3 billion more money invested from 2015 to 2018 alongside receipts from Right to Buy sales.
4. This investment in new affordable housing will help to meet housing need. We now want to see local authorities take an approach to social housing allocations which gives greater priority to those in need who have invested in and demonstrated a commitment to their local community.
5. The Prime Minister has made clear the Government's determination to tackle the widespread perception that the way social housing is allocated is unfair, and to address concerns that the system favours households who have little connection to the local area over local people and members of the Armed Forces. So, another aim of the proposed guidance will be to encourage authorities to be open and transparent about who is applying for and being allocated social housing in their area.
- 6. The following paragraphs set out in more detail our proposals for the new statutory guidance on social housing allocations and local association.**



# Qualification for social housing

7. The Government is of the view that, in deciding who qualifies or does not qualify for social housing, local authorities should ensure that they prioritise applicants who can demonstrate a close association with their local area. Social housing is a scarce resource, and the Government believes that it is appropriate, proportionate and in the public interest to restrict access in this way, to ensure that, as far as possible, sufficient affordable housing is available for those amongst the local population who are on low incomes or otherwise disadvantaged and who would find it particularly difficult to find a home on the open market.

8. We know that some local authorities have already decided to include a residency test as part of their qualification criteria for social housing, requiring people to have lived in the area for a certain amount of time before they can go on the waiting list. We believe that this is entirely appropriate and we want to ensure that all local authorities adopt such an approach. We consider that a reasonable period of residency would be at least two years. **We therefore propose that the new guidance should strongly encourage all local authorities to adopt a two year residency test as part of their qualification criteria.**

9. However, we recognise that people may have a local connection to an area even if they do not currently live there or have not lived there for long enough. **Accordingly, we propose that the guidance should also encourage local authorities to consider adopting other qualification criteria alongside a residency test so that people who are able to demonstrate a strong association to the local area are not disadvantaged.**

10. Examples of criteria demonstrating a strong local association might include:

- family association – for example, where the applicant has close family who live in the district and who have done so for a minimum period of time
- employment in the district – for example, where the applicant or member of their household is currently employed in the district and has worked there for a certain number of years

11. It is also important that local authorities retain the flexibility to take proper account of special circumstances, including for example the need to protect people who are moving into the district to escape violence, as well as homeless families and care leavers whom the local authority have housed outside their district. There may also be sound policy reasons not to apply a residency test to existing social tenants seeking to move between local authorities. This could for example, restrict the ability of tenants to downsize to a smaller social home or to take up an employment opportunity, which might impede labour market mobility. **The new guidance will therefore remind local authorities of the need to provide for appropriate exceptions.**

12. The Government is committed to ensuring that Service personnel and their families have access to appropriate accommodation when they leave the Armed Forces. We have already put in place protections through secondary legislation, which means that members of the regular Armed Forces, their bereaved spouses and civil partners, and seriously injured reservists, must not be subject to disqualification through a local connection

requirement or a residency test. We do not propose to change this position. This guidance will make clear that we expect local authorities to also consider the wider needs of the Armed Forces community, and to be sympathetic to changing family circumstances, recognising, for example, that the spouses and partners of Service personnel can also be disadvantaged by the need to move from base to base.

13. Local authorities should ensure that those who do not qualify for social housing, either because they have not lived in the area for long enough, or because they cannot demonstrate a local association in some other way, are helped to find alternative housing, for example in the private rented sector. **We would propose, therefore, that the guidance reminds local authorities of the desirability of operating a housing options approach alongside a restricted waiting list.** In the case of foreign nationals who are sleeping rough, appropriate options might include reconnection to their own country.

# Information about allocations

14. It is important that people understand how social housing is allocated in their area, and that they know who is getting that social housing, so that they can see that the allocation system is fair and the local authority is complying with its allocation scheme. To make sure this is the case, local authorities need to ensure they collect and publish accurate, up-to-date and anonymised information on waiting list applicants and lettings outcomes. The published data should include information about household characteristics, including the age, sex, ethnicity and nationality of applicants and new tenants. **Accordingly, the new guidance will include an expectation on local authorities to have a clear policy about the collection and publication of waiting list and lettings information and to ensure the policy is published on their website.**

# How to tell us your views

15. We would welcome your views on the proposed guidance. Please email or write with any comments by 22 November to:

[allocationguidance@communities.gsi.gov.uk](mailto:allocationguidance@communities.gsi.gov.uk)

or

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