

Report to the Cabinet

Report reference: C/084/2007-08.

Date of meeting: 17 December 2007.



**Epping Forest
District Council**

Portfolio: Housing.

Subject: Review of the Housing Allocations Scheme.

Officer contact for further information: Roger Wilson (01992-564419).

Democratic Services Officer: Gary Woodhall (01992-564470).

Recommendations:

(1) That, following detailed consideration by the Housing Scrutiny Panel, and consultation with the Tenants and Leaseholders Federation, Citizen Advice Bureaux, Parish and Town Councils and Registered Social Landlord Partners, the proposed changes to the Housing Allocations Scheme as set out in Appendix 1 be agreed;

(2) That the Cabinet grant delegated authority to the Housing Portfolio Holder to, consider any late responses to the consultation, and approve the final Allocations Scheme; and

This report has been considered and endorsed by the Housing Scrutiny Panel

Background:

1. The Council is legally required to have an Allocations Scheme setting out the procedures for allocating its housing accommodation and making nominations to Registered Social Landlords (RSLs). Each year the Cabinet considers the Council's Allocations Scheme and reviews any changes to be made, following detailed consideration by the Housing Scrutiny Panel, which is the purpose of this report. In September 2004, the Council introduced a Banding Scheme, which forms the basis of prioritising housing applications. Since its introduction, this system of allocating properties has worked well with no major problems arising.

2. At its meeting on 6 February 2006 (Minute 155 refers) the Cabinet agreed the framework for the Choice Based Lettings Scheme for all the Council's vacant social rented properties and that the functions relating to the scheme be delegated to the Director of Housing.

3. On 18 December 2006, the Cabinet agreed that the changes to the Allocations Scheme for the current year be made in two stages, with the second stage being implemented following the Choice Based Lettings Scheme going live. The Choice Based Lettings Scheme was implemented on 19 November 2007.

4. At its meeting on 25 October 2007, the Housing Scrutiny Panel considered in detail the proposed changes to the Allocations Scheme for 2008-09 and its comments have been incorporated into this report.

5. The Cabinet is asked to consider the changes to the Allocations Scheme, with effect from 1 April 2008, which are set out in Appendix 1. A copy of the current Scheme has been

distributed separately; further copies can be obtained from either Housing or Democratic Services.

Incentives to Discourage Under-Occupation:

6. Earlier in the year, the Housing Scrutiny Panel suggested that the incentives set out in paragraph 13 of the Housing Allocations Scheme be reviewed in an attempt to encourage existing tenants who are under-occupying to move to smaller Council owned accommodation. Currently, where a tenant moves from a 3 or 4 bedroom property to a 1 bedroom property, they will be offered £500 to cover removal costs plus £500 for each bedroom “released”, subject to a maximum payment of £2,000.

7. A survey of incentives offered by neighbouring authorities has been undertaken for comparison purposes, the results are as follows:

Authority	Amount per bedroom (£)	Removal Expenses (£)	Maximum Allowance (£)	Property Size	Amount Received e.g. 3 Bedroom to 1 Bedroom property (£)
Epping Forest District Council	500	500	2,000	Three or Four Bedroom to any One Bedroom	1,500
Harlow District Council	500	Nil	2,000	Two, Three or Four Bedroom to any One Bedroom	1,000
Uttlesford District Council	500	500	2,000	Three or Four Bedroom to any one or two Bedroom	1,500
Brentwood Borough Council	1,000	Nil	2,000	Any downsize	2,000
Chelmsford Borough Council	1,000	Nil	3,000	Any downsize	2,000

Note: Incentives are only offered if the tenant has a housing need for the downsized property.

8. The Housing Scrutiny Panel is recommending to the Cabinet that the current levels of incentives remain, but be extended to include a payment of £500 for any bedroom “released” provided that the tenant has a housing need for the downsized property. The Panel’s recommendation is included in the suggested changes listed in Appendix 1. In addition, officers will publicise the incentives again in the tenant’s magazine, “Housing News”. Furthermore, following the Census of all tenants, (which was carried out earlier this year), when all of the information has been loaded onto the computer system, those tenants who are under-occupying, will be notified in writing of the incentives.

Equality Impact Assessment:

9. The Council has undertaken Equality and Diversity Impact Assessments of all its relevant services. The purpose of Impact Assessments are to eliminate unlawful racial discrimination, promote equality of opportunity and promote good relations between persons of different racial groups. Although an Impact Assessment has previously been undertaken for the general Allocations function, as the review brings changes to the scheme a further Impact Assessment on these changes has been undertaken. One likely different outcome identified from the Impact Assessment for any particular group could be brought about by the increased incentives for those under-occupying Council-owned accommodation. It has been identified that older people are more likely to live in under-occupied accommodation and may not be aware of the incentives. The Council will therefore notify all those who are under occupying Council accommodation of the incentives when information obtained from the recent Census of all tenants is entered onto the computer database.

10. Members are asked to note that the Herts and Essex Housing Options Consortium has completed its own Equality and Diversity Impact Assessment for the Choice Based Lettings Scheme.

Statement in Support of Recommended Action:

11. The changes proposed to the Allocations Scheme will generally update the scheme, ensure fairness to all applicants, and discourage under occupation.

Other Options for Action:

12. Not to agree the changes to the Council’s Allocations Scheme from 1 April 2008.

Consultation Undertaken:

13. The Tenants and Leaseholders Federation, the Citizens Advice Bureaux, all of the Council’s partner Registered Social Landlords (RSLs) (in accordance with the Housing Act) and local councils (in accordance with the Local Council’s Charter) have been consulted on the proposed changes, and where considered appropriate, their views have been incorporated into the report. A summary of all the comments received is given at Appendix 2, together with the views of the Housing Portfolio Holder on the comments received.

14. As two Parish Council’s requested more time to respond, it is suggested that the Cabinet give delegated authority to the Housing Portfolio Holder to, consider any further responses to the consultation received by the Council, and to approve the final Allocations Scheme.

Resource implications:

Budget provision: N/A.

Personnel: N/A.

Land: N/A.

Community Plan/BVPP reference: N/A.

Relevant statutory powers: Housing Act 1996.

Background papers: Allocations Scheme, Equality Impact Assessments.

Environmental/Human Rights Act/Crime and Disorder Act Implications: N/A.

Key Decision Reference (if required): Not a key decision.

Changes to the Housing Allocations Scheme from 1 April 2008

Current Allocation Scheme Reference	Proposed Change From 1 April 2008	Reason for the Change
2.2	Enter Choice Based Lettings implementation date	For clarification
4.5 (e)	Amend tenancy transfer order to Property Adjustment Order	Property Adjustment Order is the correct legal term
5	Additional Paragraph 5 (d) "persons who have knowingly or recklessly made a false statement or withheld information that the Council has reasonably required them to give on an housing application, will become ineligible for a period of 12 months."	To penalise any applicant who makes false statements on applications further, in addition to the provisions of Section 18 of the Allocations Scheme
8.3	Amend to "Applicants will be expected to be making the best use of their existing accommodation and will be allocated to bands according to their circumstances. Where an applicant..."	To clarify that applicants must be making best use of their existing accommodation and, for example, will not be banded for larger accommodation if they are using a bedroom for another purpose, or if same sex children are not sharing a bedroom.
8.5	Increase the amounts of household income plus assets (including savings and property equity) to £200,000 for a studio or one bedroom accommodation and £275,000 for 2 bedrooms or larger accommodation.	To increase levels in accordance with the analysis of average incomes across the London Commuter Belt and the Comparison of Land Registry Property Prices.
13.2	Amend to "Where an Epping Forest District Council tenant moves to any smaller property from a larger property both owned by the Council, they will be offered £500 to cover removal costs plus £500 for each bedroom "released" subject to the tenant having a housing need for the downsized property, and a maximum payment of £2,000 being made."	To extend incentives to those moving from larger Council-owned accommodation.
18.1	Amend to "Any applicant will be ineligible to be included on the Housing Register for a period of 12 months and may be prosecuted, if in connection with the allocations process they:"	To further clarify the amendment made to Paragraph 5 (d).

Current Allocation Scheme Reference	Proposed Change From 1 April 2008	Reason for the Change
Band 1 (c)	Delete "Brook Haven" from second bullet point. Add bullet point "Living in Brook Haven for 6 months and having been served with a S21 Notice (giving notice of ending the Assured Tenancy) following their situation being resolved."	Brook Haven is a scheme to accommodate a person who is fleeing domestic violence. Their occupancy status is that of an assured short-hold tenant and therefore would live there for at least 6 months. They would be able to participate in the Choice Based Lettings Scheme after being served with a S21 Notice ending their tenancy 2 months after the Notice had been served.
Band 2 (b)	Add "or the Fresh Start Scheme" after Housing Act 1985	Some persons accepted by the Council as homeless and eligible for assistance, in priority need and not intentionally homeless are placed in "Fresh Start" private sector leasing properties and should be in the same priority band as homeless applicants granted non-secure tenancies
Band 4 (d)	Delete	Those with no fixed address would be treated as homeless
Band 5 (d)	Delete reference to "Swan"	The floating support scheme is funded through Supporting People. Following floating support services being put out to tender by the Supporting People Team, the service is now provided by "In Touch Support."
Reserved Vacancies	Delete reference to the accommodation provided to Swan Housing Association	Following the transfer of floating support services to "In Touch Support" properties are no longer leased to Swan Housing Association. The service is provided now to either secure or non-secure tenants

APPENDIX 2

Organisation	Allocation Scheme Reference	Comments	Housing Portfolio Holder's Views/Comments
Tenants and Leaseholders Federation	13.2	Agree with including 2 Bedroom properties within the incentives, could consider giving incentives to those who move from 3 or 4 bedroom accommodation to 2 bedroom, providing there is a 2 bedroom need.	It is recommended in the report that incentives are extended to an Epping Forest District Council tenant who moves to <u>any</u> smaller property from a larger property both owned by the Council subject to the tenant having a housing need for the downsized property. Although this in accordance with the views of the Tenants and Leaseholders Federation, the proposal also includes tenants moving to smaller one bedroom properties.
Citizens Advice Bureaux	13.2	Agree with including 2 Bedroom properties within the incentives, could consider giving incentives to those who move from 3 or 4 bedroom accommodation to 2 bedroom, providing there is a 2 bedroom need.	It is recommended in the report that incentives are extended to an Epping Forest District Council tenant who moves to <u>any</u> smaller property from a larger property both owned by the Council subject to the tenant having a housing need for the downsized property. Although this in accordance with the views of the Citizens Advice Bureaux, the proposal also includes tenants moving to smaller one bedroom properties.
North Weald Parish Council		The Parish Council supports the review and thanks the Council for the opportunity to comment.	Very grateful for North Weald Parish Council's views.