

Report to Housing Scrutiny Panel

Date of meeting: 21 October 2014

Portfolio: Housing – Councillor D. Stallan

**Subject: Government Consultation Paper
“Right to Move”**

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

Committee Secretary: Mark Jenkins ext 4607



Recommendations/Decisions Required:

(1) That the Housing Scrutiny Panel considers the DCLG Consultation Paper “Right to Move” which is attached as an Appendix to the report; and

(2) That consideration be given to any Council response to the Consultation Paper and its implications on the 12 month Review of the Housing Allocations Scheme, being the next item on the Agenda.

Report:

1. The Department for Communities and Local Government (DCLG) issued a Consultation Paper on 10 September 2014 entitled “Right to Move.” The Consultation Paper is attached as an Appendix to the report. The closing date for responses is 22 October 2014.

2. The Consultation Paper explains that the Government expects local authorities to ensure that under their Housing Allocations Schemes, residency requirements enable social tenants to move across local authority boundaries for work related reasons, so as not to impede labour mobility. The proposed Regulations would remove the residency requirement for existing local authority or housing association tenants who are seeking to transfer from another local authority district in England and who need to move in order to be closer to their work, or to take up a job offer, apprenticeship, or work related training opportunity in order to avoid financial hardship.

3. The Government further proposes to ensure that authorities set aside a proportion of lets for tenants who need to move for this purpose, with a minimum expectation of 1% of lettings.

4. The Government are proposing to “spell out” at a later date, the circumstances in which it expects local authorities to apply the addition to the “hardship” preference to those moving for work, or work related training.

5. The consultation is seeking views on how local authorities are using the flexibilities they already have to support tenants who want to move within and across local authority boundaries. In the meantime, it is “expected” that local authorities ensure their residency requirements enable social tenants to move across boundaries for work related reasons.

6. The Housing Scrutiny Panel is asked to consider two questions;

(a) Should the contents of the Paper be taken into account when framing the Council’s revised Housing Allocations Scheme?

7. Under the Council’s current Housing Allocations Scheme, any Homeseeker needing to

move, including existing tenants with a good tenancy record, to be nearer to their place of work, or to take up an offer of permanent employment, or a long term (full-time) training opportunity which will lead to employment are placed in Band C. However, this provision does not meet with Government's expectations, as in order to be included a person would also need to meet with the Council's 3 year Residency Criteria.

8. The 12 month Review of the Housing Allocations Scheme is to be considered by the Panel under the next Item on the Agenda. In order to meet with Government's expectations, it is being suggested as part of the Review that a further exception be made to the Residency Criteria and a Paragraph be added at 14.3 (f) in the Scheme as follows:

"Applicants who are seeking to move from a local authority district in England to take up a job or be closer to their work provided:

(a) They are in or have secured either permanent employment comprising of a minimum of 24 hours each week, or an apprenticeship or full time work related training, and they live either in excess of 50 miles from their current or intended place of work; and/or their return journey time on public transport is generally in excess of 3 hours. Journey times will be based upon Internet based Journey Planners.

9. Furthermore, that the existing Band C (i) be amended as follows to comply with the above:

"All Homeseekers (in accordance with Paragraph 14.3 (f) of this Housing Allocations Scheme) who need to move to be nearer to their place of work or to take up an offer of permanent employment, an apprenticeship or full-time work related training".

(b) Does the Council wish to respond to the Consultation Paper?

10. It is suggested that the Council responds to the Consultation Paper setting out the following:

- The Council would welcome the Government's proposal to "spell out" in more detail the circumstances in which they would expect local authorities to apply the addition to the "hardship" reasonable preference category for those needed to move for work or work related training;
- The Council asks that it is clarified whether such preference would only apply to those in financial hardship and if so how such hardship is measured, particularly as there are no legal powers available to require applicants to declare their income;
- The Council's has concerns about setting aside a proportion of lets for this purpose, and the difficulties with publishing information on the demand and lettings on any right to move quota;
- There are a number of difficulties with giving priority to existing tenants for a "community contribution" in order to assist them to move within their own local authority area

11. Furthermore, under Paragraphs 15 to 17, views are being sought on whether to regulate to create a new reasonable preference category for transferring tenants who need to move for work related reasons. It is suggested that this be supported and such preference only be for transferring tenants as those living in owner occupied or private rented accommodation should generally be able to secure similar permanent accommodation for themselves across local authority boundaries.

Reason for decision:

To give the Housing Scrutiny Panel the opportunity to consider the Government's Consultation Paper and, if appropriate, agree a response in order to to influence and comment on the Guidance. Furthermore, to note the implications to the 12 month Review of

the Housing Allocations Scheme which is the next Item on the Agenda.

Options considered and rejected:

Not to consider or respond to the Government's Consultation Paper.

Consultation undertaken:

A copy of the Consultation Paper is being circulated to the Tenants and Leaseholders Federation as their next meeting is after the consultation deadline. Any comments received will be forwarded on by officers on their behalf. The matter will also be raised at their next meeting.