

CYNGOR SIR POWYS COUNTY COUNCIL

PORTFOLIO HOLDER DELEGATED DECISION

by

COUNTY COUNCILLOR JONATHAN WILKINSON

(Portfolio Holder for Housing and Countryside Services)

October 2017

REPORT AUTHOR: Housing Policy and Strategy Officer

SUBJECT: Amendments to the Housing Allocations Scheme for Powys

REPORT FOR: Decision

1. Summary

- 1.1 This report seeks consent to make changes to the council's allocation scheme, which is used by all of the authorities housing association partners, via the Common Housing Register (CHR) to let social rented housing in Powys.

2. Background

- 2.1 Council and housing association homes in Powys are let via a Common Housing Register (CHR). The priority that each applicant for housing is provided with is determined by the council's Housing Allocation Scheme, which is a policy agreed between the council and its 7 housing association partners. Representatives from the Housing Service and each of the partner housing associations meet on a regular basis to review the operation of the CHR and from time to time will make recommendations in respect to changes to policy and procedures. This report sets out the recommended changes to the allocation scheme proposed by the multi-agency working group and approved by each of the participating housing association partners. The report also advises the Portfolio Holder of impending changes to procedures in respect of the administration of the CHR.

- 2.2 A copy of the Allocation Scheme showing tracked changes is attached at Appendix 1 and a copy of the Allocation Scheme Procedure also showing tracked changes is attached at Appendix 2. Reference will be made to the paragraphs within the policy where amendments are proposed.

Changes to the Banding System

- 2.3 The Allocation Scheme used by the council and its housing association partners to let social rented homes in Powys, is based on a banding

system where applications are placed in one of five bands, dependent on their circumstances. Applicants in Band 1 are deemed to have the most pressing need to move home. The original premise behind Band 1 was that only exceptional cases should be placed within that band to allow the applicants to be rehoused in as short a time possible. However, following the review it was discovered that too many applicants were being placed in Band 1 (since March 2016 to March 2017, numbers have increased from 6 to 17), leading to applicants not being accommodated quickly. In order to prevent this from happening in the future, the description of who qualifies for band 1 has been tightened and restrictions have been placed upon the officers who can determine which applications are to be placed into the band, to ensure a more consistent approach. (see policy paragraph 6, procedure paragraph 10).

- 2.4 The criteria for Band 2, currently includes social housing tenants who were affected by the DWP bedroom size criteria (bedroom tax) to ensure they had priority and were able to downsize. Whilst there was a high number of allocations made from the band when the policy was first introduced, this has now reduced. Social landlords remain under pressure to make best use of the housing stock and it is therefore proposed to extend the criteria to for Band 2, to include all social tenants who are under-occupying their current homes, regardless of whether they are in receipt of housing benefit (see policy paragraph 6, procedure paragraph 10).
- 2.5 It is proposed to change the local connection criteria in Band 3 to include family association, to bring the policy into line with Welsh Government guidance (see procedure paragraph 10). This has the advantage of mirroring the homelessness definition of local connection thereby providing consistency in its application. In addition a minor amendment is proposed to the support criteria in relation to local connection. At the moment it states that local connection is where a person or persons wish to provide full time care to a resident in the local community who would otherwise be unable to due to the lack of affordable housing. This has been amended to include those that need to receive full time care from a resident in the local community (see procedure paragraph 10).

Size and type of properties to be let to applicants

- 2.6 In order to make best use of social housing stock and encourage sustainable tenancies, it is proposed to restrict the size of properties certain households can apply for. Applicants who are in receipt of housing benefit (partial or full) will be allocated properties in the line with the Department of Work and Pension's (DWP) property size criteria. Applicants who are in work and able to afford a larger property will have the option to apply for one bedroom above what is needed. (see policy paragraph 4, procedure paragraph 7). It is also proposed that the same ruling will apply where joint access arrangements are in place. Another advantage of introducing this criteria is that it makes the policy more straight-forward for staff to implement and apply and is easily understood

by applicants. As a consequence a more consistent approach will be achieved in applying the policy across Powys. .

- 2.7 It is proposed that the provision to only allocate houses to families which contain dependent children be removed. Following the review it was discovered that this is not always the best solution especially in cases where we are trying to encourage parents to allow their grown up children to stay with them for as long as possible. Given the challenges of the benefit caps it will become even more important for social landlords to be able to accommodate different household types in their stock and not set any restrictions.
- 2.8 In addition a paragraph on housing children above the ground floor has been added (see procedure paragraph 9), to provide clarity as a significant number of queries were being raised on what the policy was surrounding this issue. In order to make best use of stock, we have taken a flexible approach to this issue with a number of factors to be taken into consideration before deciding the most appropriate course of action.

Amendments to the Review Process

- 2.9 With regard to a request to review a decision, this has been streamlined to bring it in line with current legislation and guidance (see policy paragraph 11). This also has the added benefit of reviews and appeals being dealt with more efficiently by officers which will be of benefit to the partner organisations and the applicants.

Revisions to procedures to address tenancy fraud

- 2.10 Following advice from the Council's Senior Investigator (Income and Awards), we have made the declarations that are read out to the applicant and which they must consent to at registration stage, more comprehensive and have also introduced a Customer Statement and Declaration form which applicants must sign at point of offer. This is to allow Powys County Council to take more effective enforcement action against those looking to perpetrate tenancy fraud in our properties and sets out our commitment to the prevention, detection and investigation of tenancy fraud. In line with the introduction of signed declarations and following the advice of the Senior Investigator, we have also introduced within the procedure an ID verification process where ID must be provided for all members of the household prior to an offer being made (see procedure paragraph 1).

Payment of a weeks' rent in advance

- 2.11 The ethos behind the introduction of Universal Credit aims to make tenants take more responsibility for paying their rent and become more independent, it is proposed to introduce an expectation for applicants to pay a week's rent at the commencement of the tenancy (see procedure paragraph 5). During the review Clwyd Alyn reported that they had a 95% success rate in obtaining the first weeks rent at the start of the tenancy and other officers reported they had seen a change in people's

expectations over the last 6 months where it was assumed that this would need to be paid. We are aware that not all applicants will be able to afford this sum of money up front and have put in a caveat that where an affordability check has revealed that it would not be appropriate then an alternative arrangement may be made at the discretion of the individual partner organisation.

Proposed letting scheme for shared accommodation

- 2.12 One of the greatest challenges facing social landlords is the application of the Local Housing Allowance cap restricting the amount of housing benefit that can be claimed by single tenants aged under 35, who will only be eligible for the shared accommodation rate. In readiness for this the council and its housing association partners are aiming to carry out a pilot later this year, on how allocations are made to this particular client group. This will be based on the successful pilot carried out by Newydd Housing Association who used a choice based letting (CBL) system to allocate shared accommodation. One of the advantages of a CBL system is that it is based on the idea of choice and if an applicant is allocated the property they have chosen rather than being housed where the local authority or housing association has chosen, then it is more likely that the applicant will be living somewhere they can settle and enjoy.

3. Proposal

- 2.1 To approve the amendments to the Common Housing Allocations Policy and Procedure following review meetings with all partner organisations of the Common Housing Partnership in November 2016 and July 2017.

3. Options Considered / Available

- 3.1 Alternative options are:
- 3.2 We do not adopt the changes and the existing policy and procedure remains in place. If we select this option, we risk the following:
- under-using stock resulting in higher waiting times
 - increased homeless presentations,
 - longer stays in temporary accommodation,
 - increased misuse of stock due to lack of enforcement options,
 - increased rent arrears
- 3.3 Adopt the changes to the policy and procedure to ensure best use of stock, compliance with legislation and guidance and to enable the Council and its partners to respond to current and future welfare benefit changes in a timely and efficient manner

4. Preferred Choice and Reasons

- 4.1 It is proposed that the suggested amendments to the policy and procedure are approved and delegated authority is given to the Head of Housing to allow future amendments to be implemented more efficiently.

5. Impact Assessment

- 5.1 Is an impact assessment required? Yes
- 5.2 If yes is it attached? Yes

6. Corporate Improvement Plan

- 6.1 The suggested amendments will help us to deliver the priority of delivering Stronger Communities by making best use of our stock and looking to ensure tenants and residents are housed appropriately in accommodation they can afford. By taking a stronger stance on the detection of fraud, this will help to ensure we are maximising appropriate use of our limited stock and contributing to the protection of the public purse.

7. Local Member(s)

- 7.1 This is a county wide matter with no local member issues.

8. Other Front Line Services

- 8.1 Does the recommendation impact on other services run by the Council or on behalf of the Council? No

If so please provide their comments

9. Communications

- 9.1 Have Communications seen a copy of this report? Yes

Have they made a comment? Yes

“No proactive press release but a briefing statement to be drafted and approved ready for any enquiries received.”

10. Support Services (Legal, Finance, Corporate Property, HR, ICT, Business Services)

- 10.1 Legal - The Professional Lead-Legal agrees that the report falls in line with other Local authorities and confirms the Legal services support.
- 10.2 Finance – The Finance Business partner notes the content of the report which will ensure best use of housing stock, compliance with legislation and guidance and to enable the Council and its partners to respond to current and future welfare benefit changes in a timely and efficient manner.
- 10.3 Corporate Property (if appropriate) – n/a
- 10.4 HR (if appropriate) – n/a
- 10.5 ICT (if appropriate) – n/a

11. Scrutiny

- 11.1 Has this report been scrutinised? No

If Yes what version or date of report has been scrutinised?

Please insert the comments.

What changes have been made since the date of Scrutiny and explain why Scrutiny recommendations have been accepted or rejected?

12. Statutory Officers

- 12.1 The Strategic Director Resources (S151 Officer) notes the comments made by finance.
- 12.2 The Solicitor to the Council (Monitoring Officer) has commented as follows: “I note the legal comment and have nothing to add to the report”.

13. Members’ Interests

- 13.1 The Monitoring Officer is not aware of any specific interests that may arise in relation to this report. If the Portfolio Holder has an interest he should declare it, complete the relevant notification form and refer the matter to the cabinet for decision.

Recommendation:	Reason for Recommendation:
1. To approve the suggested amendments to the Common	1. To allow partner organisations of the CHR to make best use of their

Allocations Scheme Policy and Procedure as set out in Appendices 1 and 2 to the Report	social housing stock and provide greater mobility within the social rented sector. To bring the policy in line with legislation and provide robust enforcement procedures when investigating fraud.
2. To approve the pilot local lettings scheme in relation to the allocation of shared properties to the under 35's and subject to the findings, approve its implementation.	2. To allow the Council and its partners to respond to changes in welfare benefit regulations.

Relevant Policy (ies):	Common Allocation Scheme Policy and Procedure		
Within Policy:	Y	Within Budget:	Y

Relevant Local Member(s):	All members
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Person(s) To Implement Decision:	Housing Policy and Strategy Officer
Date By When Decision To Be Implemented:	1st November 2017

<p>Contact Officer: Kelly Jones Tel: 07795238631 Email: Kelly.jones@powys.gov.uk</p>
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Background Papers used to prepare Report:
Code of Guidance for Local Authorities on Allocation of Accommodation and Homelessness
Common Allocations Scheme – Policy Statement
Common Allocations Scheme – Procedure Guide