

**Keyways Housing Allocation Policy**

**SYNOPSIS BOX**

To seek approval for policy and text changes to the Housing Allocations Scheme. This policy underpins the allocation of social rented homes to households in the Borough.

This report was considered by the One Corby Policy Committee at its meeting on 11<sup>th</sup> August 2015 but was deferred for further information.

**1. Introduction and Relevant Background Details**

The council's housing allocation scheme was fully reviewed in June 2013 following the experience gained from operating the scheme since launch and the new freedoms and flexibilities introduced by the Localism Act 2011.

Following the introduction of new regulations and a review of the policy; below are key policy changes to be considered together with text changes within the policy.

**Report**

**1-4 SIGNIFIES A KEY CHANGE TO POLICY**

1	<p><b>LOCAL CONNECTION</b></p> <p>Following the powers within the Localism Act 2011, a Local Connection criterion was introduced to the Keyways scheme. Since then, applications have been received from households, for whom Corby Borough is clearly their "home"; however, do not qualify due to having <u>moved away for a very short period of time</u>. The current local connection criteria for residency requires 3 <b>continuous</b> years from the point of application.</p> <p><b>RIGHT TO MOVE</b></p> <p>The new Right to Move regulations introduced on 20 April 2015 requires all local authorities to amend their allocations policy accordingly.</p>		
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2	<p><b>SHELTERED ACCOMMODATION</b></p>		

	<p>Experience gained from operating the choice based lettings scheme has shown that due to the <u>initial</u> age criteria of sheltered accommodation, households with an urgent housing need are being bypassed for a household with a lesser housing need but have a greater age. Sheltered properties are currently offered to a household in the first instance to an applicant over 65, then 60 and lastly over 55 years of age.</p>		
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3	<p><b>RIGHT TO MOVE</b></p> <p>To continue and assist households to take up employment in Corby, the current policy applies priority band (B) for those who experience <u>financial</u> hardship only. However, it is considered good practice to consider other hardships such as time spent commuting.</p> <p>The new Right to Move statutory guidance dated March 2015 <u>recommends</u> that any reasonable preference category for hardship takes into consideration the need to move for employment, education or training opportunity. It is also recommended that a quota of properties (1%) is set aside for cross-boundary moves for work/hardship reasons.</p> <p>1% of allocations equates to 5 properties per year (taken from average lets 2012-2014)</p> <table border="1"> <tr> <td data-bbox="245 1093 644 1671"> <p><b>Therefore the proposed revision is;</b></p> </td> <td data-bbox="644 1093 1412 1671"> <p><b><i>Change Band B to;</i></b></p> <p><b><i>Employment Hardship/Right To Move</i></b></p> <p><b><i>You or a member of your household <u>need</u> to move in order to take up employment in the Corby Borough for 16 hours or more per week and avoid hardship. Hardship includes financial and commuting distance. (Less than 2 hours travelling per working day/60 minutes each way is considered reasonable) Work which is short-term, marginal in nature, ancillary and voluntary is not included.</i></b></p> <p><b><i>Up to 1% of allocations per year will be identified and nominated to applicants meeting this criterion via a direct let.</i></b></p> </td> </tr> </table>	<p><b>Therefore the proposed revision is;</b></p>	<p><b><i>Change Band B to;</i></b></p> <p><b><i>Employment Hardship/Right To Move</i></b></p> <p><b><i>You or a member of your household <u>need</u> to move in order to take up employment in the Corby Borough for 16 hours or more per week and avoid hardship. Hardship includes financial and commuting distance. (Less than 2 hours travelling per working day/60 minutes each way is considered reasonable) Work which is short-term, marginal in nature, ancillary and voluntary is not included.</i></b></p> <p><b><i>Up to 1% of allocations per year will be identified and nominated to applicants meeting this criterion via a direct let.</i></b></p>
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4	<p><b>UNACCEPTABLE BEHAVIOUR</b></p> <p>Current non-qualifying criteria includes <u>all debt</u> to Corby Borough Council, some of which are not housing related. Registered providers who advertise through Keyways have expressed their concern that they would not receive a nomination from a household who they would consider as suitable to be a tenant. I.e. household with a debt for an unpaid litter/dog fouling fine, pitch fees, burial plot etc.</p> <p>This non qualifying criterion was introduced to <u>maximise</u> income to the council.</p>		

	Considerations need to be given as to <u>which</u> debts are included in this criterion, including debts that have been written off.
	<p>Therefore the proposed revision is;</p> <p><b><i>All <u>housing related debts only</u> are considered i.e. rent arrears, court costs, recharges, housing benefit overpayments, council tax, deposit bond scheme and loans from the homelessness prevention grant when assessing an applicant's qualification for housing.</i></b></p> <p><b><i>Any of the debts mentioned above that are <u>statute barred and/or written off</u> are considered a debt to the council and will therefore remain a reason to exclude an application.</i></b></p>
<b>5 – 18 CLARIFICATION/TEXT CHANGES ONLY</b>	
5	<p>Section 6.1 Under 18's</p> <p>Applications from households under 18 are unable to bid until their 18<sup>th</sup> birthday.  (Children under the age of 18 in need of housing will be assessed as a "child in need" by Children and Young Person Services at Northants County Council)</p>
6	<p>Section 6.5 People who behave in an unacceptable way</p> <p>Debt relief orders will be considered only after 12 months from the date of issue and must include all debts which would make an applicant exempt from the scheme.</p>
7	<p>Section 6.6 Homeowners</p> <p>Owners who sell their property, current policy states that any previous disposals of assets will be taken into consideration for 5 years. Policy will clarify that any equity per owner over £16,000 will make the household exempt from the scheme. <i>(This mirrors the housing benefit regulations)</i></p>
8	<p>Section 6.6 Homeowners</p> <p>Applicants who have a "beneficial interest" in a property will be classed as a homeowner and therefore exempt from the scheme.</p>
9	<p>Section 7.2 Disability, mobility and medical needs</p> <p>Households that require specific adaptations will only be nominated to accommodation that is suitable for their needs from the outset.  As at August 2015, 8.87% of Corby's population is considered to have a disability (ONS Census 2011), 14% of the active housing register is in need of a property with a major adaptation and 23.6% of CBC properties have major adaptations in place.</p>
10	<p>Section 7.6 Access to child/children</p> <p>The parent in receipt of child benefit will be considered as the main carer and the child is a permanent member of their household. This includes grandchildren. <i>(This mirrors the housing benefit regulations)</i></p>
11	<p>Section 8.3</p> <p>Step siblings will be considered together as children</p>

	Band B – Urgent Need Another Bedroom	of the household and are expected to share. <i>(This mirrors the housing benefit regulations.)</i>
12	Section 8.3 Band B – Urgent Supported Move On	Households moving on from supported housing must be within the Keyways Partnership area only unless a household was placed out of the area due to it being the only suitable accommodation available and they met the Local Connection criteria at that time.
13	Section 8.4 Band C - On Notice with Intention to Evict	This band is awarded only once for the same tenancy to prevent repeat Section 21 Notices from a landlord/agent with no intention to evict. Any Section 21 Notices which are issued alongside a tenancy will only be considered for a period of 2 months before the end following confirmation from the landlord that they will be commencing possession proceedings.
14	Section 8.5 Band D - Seeking Sheltered	Change the text to read age 55 instead of 65.
15	Section 9.0 Property Eligibility	No family with the same children will be given 2 social houses. The parent who leaves the tenancy will be entitled to a bedsit, flat or maisonette only. (Bungalow if additional criteria are met)
16	Section 9.2 Property Eligibility	General needs bungalows with no major adaptation i.e. Level Access Shower or Wet room are prioritised to the elderly (over 60). They are unsuitable for household with a ground floor need due to the property containing a bath.
17	Section 11.0 Allocating Properties	Following the Members approval of the Welfare Reform Action Plan submitted to OCPC on 10 March 2015, the policy will be amended to advise that Corby Borough Council will request 4 weeks rent in advance and rent payments are paid by direct debit only for all nominations as previously agreed.
18	Section 11.5 Direct/Selective Lettings	A Keyways landlord may request a property/building is advertised with selective letting criteria in order to manage their properties and create sustainable communities. The selective letting criteria will be approved by the Head of Service for Housing and Neighbourhood Services in consultation with Lead Member (Housing).
19	Section 12.0 Right to a Review	Insert an additional appeal step to the Housing Options Manager before the Right to a Review by the Assistant Chief Executive.

## **2. Options to be considered:**

- a. Accept the changes in full.
- b. Accept the changes in part, defining those changes that are rejected.
- c. Reject the changes in full.

## **3. Issues to be taken into account:-**

### ***Policy Priorities***

Despite the above changes the policy's aims and objectives will remain the same. See Section 3.0 of the Keyways Housing Allocations Policy for aims and objectives.

### ***Financial***

The council received a payment of £3,044 from central government to cover any costs incurred following the Right to Move regulations. There are no software costs for any of the recommendations.

### ***Risk***

Right to Move regulation should be approved or the council could be open to a legal challenge or Ombudsman enquiry. All other changes carry a risk of a customer complaint if not accepted.

### ***Legal***

All changes in the policy have been prepared in line with current legislation.

### ***Performance Information***

There are no changes required to the current performance monitoring.

### ***Human Rights/Economic***

A right to peaceful enjoyment of your property is a human right and not diminished by any recommendations included in this report.

### ***Equalities***

Due regard has been given to the Equality Act 2010 and an Equality Questionnaire will be completed following consultation and before implementation.

### ***Social***

Right to move and improving local connection criterion is not a new idea but opening this option up again will improve social connection for residents, their families and future employees and students.

### ***Community Safety***

There are no implications identified as a result of these changes.

### ***Consultation***

Consultation has been conducted with the partners of the choice based lettings sub regional group (Borough Council of Wellingborough and Kettering Borough Council), Landlord Services, Housing Benefit, Environmental Quality and Legal.

Following the outcome of OCPC, any decisions approved by this committee will be subject to a 4 week consultation process with the service users of Keyways, Registered Providers, and voluntary/community organisations.

Any concerns highlighted from the external consultation will be discussed with the Chief Executive and Lead Member (Housing) before final implementation. If the concerns are significant and the Council feels it appropriate to alter the nature and/or context of the Policy these will be brought back to Members for consideration prior to implementation.

## **Best Value**

Keyways will remain a sub-regional scheme which shares the budgetary burden of running a CBL scheme.

## **Sustainability**

Sustainability remains one of the areas that any review takes on. These changes are not deemed to have any detrimental impact on housing delivery or management.

## **4. Conclusion**

The policy and text changes above will meet new regulations introduced on 20 April 2015.

Housing Options continue to take into consideration the complaints and concerns raised by service users and have therefore recommended the changes above to address these issues and further clarify the policy in some areas.

## **5. Recommendation**

The Committee:

- i) Agree "Option a", accept the changes in full.

## **Background Papers**

Keyways Housing Allocation Policy

Part VI of the Housing Act 1996

Part VII of the Housing Act 1996

Localism Act 2011

Allocations of Accommodation: guidance for local housing authorities in England

Equalities Act 2010

The Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015

Right to Move Statutory Guidance March 2015

\*Office for National Statistics 2011 (Census)

## **External Consultations**

Kettering Borough Council

Borough Council of Wellingborough

Registered Providers

Keyways Service Users

Member of the Homeless Operational Focus Group

## **Officers to Contact**

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## SHELTERED ACCOMMODATION

### CURRENT SHORTLIST EXAMPLE

Position	Band	Effective Date	Age
1	C	01.02.2014	66
2	D	01.03.2014	78
3	D	01.05.2014	90
4	A	01.01.2015	62
5	C	01.08.2012	60
6	B	01.07.2013	59
7	D	01.08.2013	57

### PROPOSED SHORTLIST EXAMPLE

Position	Band	Effective Date	Age
1	A	01.01.2015	62
2	B	01.07.2013	59
3	C	01.02.2014	66
4	C	01.08.2012	60
5	D	01.03.2014	78
6	D	01.05.2014	90
7	D	01.08.2013	57