



Housing Allocation Policy – agreement of percentages to bands

SUMMARY

- 1.1 The new Housing Allocation Policy was agreed by Council Cabinet on 1 August 2006. The policy is based on a percentage of properties being allocated to each band. This is known as a 'quota of allocations'.
- 1.2 The new policy contains four bands of housing need and a percentage of properties will be advertised and allocated to each of these bands.
- 1.3 The members of the Community Commission have been consulted on the findings of this report, along with the Derby Homefinder Landlords.
- 1.4 Subject to any issues raised at the meeting, I support the following recommendation.

RECOMMENDATION

- 2.1 To agree the proposed percentage of quotas contained in this report.
- 2.2 To agree that the Cabinet Member with responsibility for Housing policy has the delegated powers to review and amend the quotas to a parameter of +/- 10% of the total allocations.

REASON FOR RECOMMENDATIONS

- 3.1 The percentage of properties allocated to the Emergency band, which contains statutory homeless households will ensure the transition from the current policy to the proposed policy still enables the Council to meet its statutory obligations. Once the backlog of cases is reduced, the proposed Housing Allocations Policy contains the ability to review and amend the percentage of properties allocated to each band.
- 3.2 The delegation of authority is required to ensure that the percentage of allocations to each band can be amended in line with changing housing need. The conversion of each housing application is a complex process and once complete will require a quick turn around to ensure the new IT system and Housing Allocation Policy can be implemented.



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SUPPORTING INFORMATION

Background

- 1.1 The new Housing Allocation Policy was agreed by Council Cabinet on 1 August 2006.
- 1.2 A Housing Allocation Policy guides the principles of how properties will be allocated in a fair and transparent manner, taking account of both the Council's duty to take account of housing need and its wish to offer as much choice as possible.
- 1.3 The Housing Allocation Policy aims to:
 - help people in housing need choose where they would like to live
 - prevent people from becoming statutory homeless.
 - make the best use of the limited social housing available and tell you about other housing options.
- 1.4 The foundation of the new Housing Allocation Policy is to advertise a percentage of properties to each band. This is known as a 'quoted allocation' scheme.
- 1.5 The quotas within the new Housing Allocation Policy are designed to help estate sustainability.
- 1.6 The old Housing Allocation Policy had seven bands of housing need. This report details the process taken and the results of the data conversion of an applicant's band to the new Housing Allocation Policy.
- 1.7 This information is used to determine the initial percentage of allocations to each of the four bands.
- 1.8 One of the recommendations of the 'Housing Allocation Policy' Cabinet report was for the Cabinet Member with responsibility for Housing policy to have delegated authority to agree future changes to the percentage of properties allocated to each band. This report sets the parameters for the Cabinet Member's delegated authority.
- 1.9 The new policy will be implemented at the same time as the new Housing IT system. This is now due 5 February 2007.
- 1.10 The Community Commission were consulted on the proposed percentage of allocations at their meeting on 4 December 2006. The Derby Homefinder Landlords have also been consulted.

Methodology

- 1.11 Employees at the Housing Options Centre have manually checked each housing application and recorded the reason why an applicant has been awarded a band.
- 1.12 These 'band reasons' has been cross-referenced with the new Housing Allocation Policy and then totalled to give the number of applicants in each of the new bands.
- 1.13 The percentages have then been set to:
 - meet the Council's statutory obligations towards homeless households
 - meet the key aims of the new Housing Allocation Policy, as outlined in 1.3 of this report.
- 1.14 Appendix 2 details the data conversion of an applicant's band to the new Housing Allocation Policy.

Findings from the data conversion

- 1.15 The findings from the data collection exercise are taken from 7986 active or suspended housing applications manually checked between the 7 August 2006 and 1 November 2006. This equates to 96% of the total number of housing applications on the Joint Housing Register
- 1.16 The table in Appendix 2 shows that:
 - 536 applicants are in band 1 and 1A
 - 1433 applicants are in band 2
 - 1322 applicants are in band 3
 - 2774 applicants are in band 4
 - 1226 applicants are in band 5
 - 695 applicants are in band 6
- 1.17 When converted to the new Housing Allocation Policy there are:
 - 238 applicants are in Emergency band
 - 1703 applicants are in band A
 - 5350 applicants are in band B
 - 695 applicants are in band C
- 1.18 There is a legal requirement to take account of multiple needs within the Housing Allocation Policy.
- 1.19 The exercise of verifying housing applicant's multiple needs is still on going. However, sample data shows that 49% of housing applications have more than one identified need.
- 1.20 These needs have to be verified because priority is given in allocating properties to housing applicants with multiple needs.

The proposed Percentage of allocations to each band

- 1.21 The proposed percentage of properties to be advertised to each band is:
- 30% to Emergency band
 - 30% to band A
 - 35% to band B
 - 5% to band C
- 1.22 Each Derby Homefinder Landlord has the ability to decide to which band to advertise the properties. This is to ensure that landlords can address issues such as estate sustainability.
- 1.23 Over the last year 1808 properties have been advertised on the Derby Homefinder choice based lettings scheme.

The proposed parameters for the Cabinet Member's delegated authority

- 1.24 It is proposed that the parameters by which the Cabinet Member with responsibility for Housing policy can approve changes to the percentages of each band is +/-10% of the total allocations. For example, if there is an increase in homelessness acceptances the Cabinet member will have the ability to increase the percentage of allocations to the Emergency band from 30% to a maximum of 40%.
- 1.25 These changes will be through the normal Cabinet member portfolio meetings.
- 1.26 This level of discretion will ensure that any future changes can be made quickly to react to changes in the social housing market in Derby.

OTHER OPTIONS CONSIDERED

- 2.1 Another percentage of allocations was considered during the data conversion exercise of an applicant's band to the new Housing Allocation Policy.
- 2.2 This second proposed percentage of properties to be advertised to each band was:
- 35% to Emergency band
 - 25% to band A
 - 35% to band B
 - 5% to band C
- 2.3 This approach was rejected because:
- the higher percentage to the Emergency band would still encourage people to 'band chase'
 - the higher percentage would not help achieve the Housing Allocation Policy's aim of preventing homelessness.

For more information contact: Jamie Eaton Tel: 01332 716675 e-mail: jamie.eaton@derby.gov.uk

Background papers:

List of appendices:

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| Appendix 1 – | Implications |
| Appendix 2 – | The data conversion of an applicant's band to the new Housing Allocation Policy. |
| Appendix 3 - | A description of the housing needs contained in each band of the Housing Allocation Policy. |

IMPLICATIONS

Financial

- 1.1 The implementation of a new Housing Allocation Policy will require written contact with every applicant on the housing register, and the costs of this will be contained within the Housing Options Centre and Derby Homefinder budget.
- 1.2 The new policy and accessibility of services meets the Council's E-government strategy and will lead to efficiencies in the operating of the service.

Legal

- 2.1 The case of R (Cali & Others) v London Borough of Waltham Forest [2006] EWHC 302 (Admin) examined the allocations policy of the London Borough of Waltham Forest. The case is the leading authority on the sufficiency of multiple needs assessments in the choice based lettings context. The court found the policy of London Borough of Waltham Forest to be deficient on the basis that it did not take into account the multiple needs of households making application for an allocation of housing. The principal criticism levelled at the authority was that the policy contained within it, no ability to aggregate the needs of individual members of the same household. Leading on from that concern was that the authority's decision about which band to place an application in and, in turn, the applicants qualification for housing, was not influenced by the increasing level of aggregate needs.
- 2.2 There is a statutory requirement imposed on the Council under the Homelessness Act 2002, where a Housing Allocation Policy is amended or reviewed to consult fully with its tenants and other housing providers in the city.
- 2.3 This means that we will consult with partner providers with which the Council has nomination arrangements and tenants.
- 2.4 There is also a requirement to notify all applicants on the joint housing register about policy changes. This will be achieved through written notification to each applicant on the register together with an advert in the local press.
- 2.5 These changes enable the Council to satisfactorily meet the requirements under the Housing Act 1996 (as amended by the Homelessness Act 2002) and the High Court ruling in the Cali v The London Borough of Waltham Forest case.

Personnel

- 3.1 The new staffing structure at the Housing Options Centre is aimed at preventing homelessness, where appropriate.

Equalities impact

- 4.1 The principles of the proposed Housing Allocations Policy are to operate in a fair and transparent manner, taking account of both the Council's duty to take account of housing need and it's wish to offer as much choice as possible.
- 4.2 The implementation of the Housing Allocations Policy at the same time as the new IT system will improve the level of service available to all members of the community.
- 4.3 The obligations on the Council are to provide equality of choice within housing. The amendments to the Allocations Policy fully incorporate the Council's Equal Opportunities and Diversity Policy. Publicity material will be produced incorporating the main minority ethnic languages.

Corporate priorities

- 5.1 The proposal comes under the Corporate priorities of 'build healthy and independent communities' and 'deliver excellent services, performance and value for money'.

The data conversion of an applicant's band to the new Housing Allocation Policy.

	Bands in old Housing Allocation Policy							
Bands in new Housing Allocation Policy	1A	1	2	3	4	5	6	Grand Total
Emergency	23	215						238
A		298	1261	144				1703
B			172	1178	2774	1226		5350
C							695	695
Grand Total	23	513	1433	1322	2774	1226	695	7986

A description of the housing needs contained in each band of the Housing Allocation Policy.

Emergency band

We will place you in this band if:

- Derby City Council has accepted you are 'statutorily homeless'
- Housing Standards have assessed your property and:
 - found it to be 'statutorily overcrowded' and
 - you have not intentionally caused overcrowding, as defined in the Housing Act 1985.

A band

We will place you, a joint applicant, any other member of your household or any number of people identified on your housing application in this band if:

- Derby City Council has accepted you as 'non-statutorily homeless'
- the Council prohibits the use of the property you are living under the terms of the Housing Act 2004 and considers that it is not reasonable for the property to be brought back into use
- the Council's medical advisor or Occupational Therapist has assessed you as having an essential need to move on medical or mobility grounds. This is because your current housing is having a serious detrimental impact on you or members of your households health or ability to live independently
- you have an urgent need to move on welfare grounds. This is defined as:
 - your discharge from hospital is prevented by your housing situation
 - there is a likelihood of admission to residential care or hospital if re-housing is not made
 - there is a likelihood of a child being accommodated by the local authority if re-housing is not made
 - you, or a member of your household, are at serious risk of harm in your present accommodation. This can include but is not limited to:
 - victims of domestic violence
 - serious racial harassment
 - homophobic attacks
 - witnesses of crime
 - victims of crime
 - serious anti-social behaviour.
- you have an urgent need to move to a particular locality where failure to do so would cause hardship to you or other member of your household. This is defined as:

- it is unreasonable for you to stay at your current accommodation due to exceptional financial hardship
- you need to move to either give or receive essential care and support
- you need to move to access specialised medical treatment
- you need to move to take up particular employment or training opportunities
- you are currently living in a hostel or supported housing and are ready for independent living
- you are currently living in a house owned by a Derby Homefinder Landlord that is too big for your needs, and you are willing to move to a smaller property
- you are a tenant of a Derby Homefinder Landlord and no longer need the adaptations made to your property

In all circumstances – you cannot reasonably be expected to secure suitable accommodation for yourself.

B band

We will place you, a joint applicant, any other member of your household or any number of you identified on your housing application in this band if:

- the Council's medical advisor or an Occupational Therapist has assessed you as having a need to move on medical or mobility grounds
- you currently live in an upper floor flat and you have children under 12 years of age
- you need more bed spaces
- you are sharing facilities
- you have had a relationship breakdown, and are living in the same property as your partner and a move would allow the partner and family to remain in the property
- you are a tenant of a Derby Homefinder Landlord and have received a Compulsory Purchase Order or your property is due for demolition
- you are suffering from anti-social behaviour or harassment
- you have a non-urgent housing need to move. This can include but is not limited to a move nearer to:
 - a child's school
 - a place of worship
 - family/friends for non-essential support
 - shops and other local amenities.

In all circumstances – you cannot reasonably be expected to secure suitable accommodation for yourself.

C band

We will place you in this band if:

- you are already adequately housed
- you can afford to get your own housing or improve your current accommodation to be more suitable to your needs.