

To: City Executive Board
Date: 11 September 2013
Report of: Head of Housing & Property
Title of Report: Allocations Review & Changes to the Allocations Scheme

Summary and Recommendations

Purpose of report: To receive approval for the proposed new Allocations Scheme

Key decision? Yes

Executive lead member: Councillor Scott Seamons

Policy Framework: Meeting Housing Needs

Recommendation(s): (1) To note the proposed changes to the existing Allocations Scheme and responses to the consultation

(2) To recommend the new Allocations Scheme is approved by Full Council

(3) To give delegated authority to the Head of Housing & Property to introduce the new Allocations Scheme within 3 months of final approval by Full Council to allow time to implement the changes

(4) To agree to the Council leaving the Oxfordshire Sub-regional Choice-Based Lettings scheme

Appendices to report

- Appendix 1 Housing Allocations Scheme Consultation Draft Report approved by CEB on 13/2/13 (showing a summary of the proposed changes)
- Appendix 2 Proposed new Allocations Scheme
- Appendix 3 Summary report on the responses received during the Allocations Review consultation
- Appendix 4 Equality Impact Assessment on the proposed changes
- Appendix 5 Risk Register

Introduction

1. The Council is in the process of changing the Allocations Scheme. This is the policy the Council uses to allocate social housing within Oxford to those in housing need. All housing authorities must have an Allocation Scheme. Housing authorities are required by s.166A(1) Housing Act 1996 to have an allocation scheme for determining priorities, and for defining the procedures to be followed in allocating housing accommodation; and they must allocate in accordance with that scheme (s.166A(14)). All aspects of the allocation process must be covered in the scheme, including the people by whom decisions are taken.
2. A draft of the proposed Allocations Scheme and a report detailing the changes (see Appendix 1) was submitted to the CEB on 13/2/13 and approval was received to consult on the proposed changes. The consultation took place between 3/4 and 19/5/13. Registered Providers of Social Housing with stock in Oxford, every applicant on the housing register (over 4700), members of the public and other key stakeholders (including advice and support agencies and housing staff) were given the opportunity to comment on the proposed changes.
3. The overall response to the proposed changes has been generally positive, although some proposals are more popular than others and the responses received have been taken into consideration when drafting the final version of the proposed Allocations Scheme shown in Appendix 2. A report providing a summary of the responses received in the consultation is shown in Appendix 3. The impact of the proposed changes to the Allocations Scheme on households in housing need has also been taken into consideration in the drafting of the new Allocations Scheme. An Equality Impact Assessment has been undertaken and is shown in Appendix 4.
4. The proposed Allocations Scheme has not been significantly altered to the version submitted to the CEB on 13/2/13 and includes most of the proposed changes listed in Appendix 1. Although minor areas have been re-drafted to make the changes clearer. The proposal to exclude adult students studying and living away from home part of the time where their main residence is still at the applicant's home has been removed, following the consultation and impact analysis. The sections on when a housing applicant with rent arrears is likely to be excluded from qualifying for inclusion on the Housing Register or unlikely to receive an offer have been made clearer.

Level of Risk

5. The new Allocations Scheme is considered to represent a low risk to the Council and has been represented as such in Appendix 5. The old Allocations Scheme is out of date and needs to be updated. The new Allocations Scheme has been re-drafted taking into account changes in legislation introduced by the Localism Act and Welfare Reform Act and

the new Allocations Code of Guidance issued by the Department of Communities and Local Government.

Climate Change/Environmental Impact

6. The new Allocations Scheme will have a low impact on climate change and the environment. The Council will continue to seek to minimise the impact of the allocation of social housing in the future and the introduction of an on-line application form should help to reduce the amount of paperwork required to administer the housing register.

Equalities Impact

7. The impact of the proposed changes has been considered in the Equality Impact Assessment shown in Appendix 4 and taken into consideration in the drafting of the new Allocations Scheme. The Council will continue to seek to ensure under the new scheme, that the allocation of social housing does not indirectly discriminate against or disadvantage housing applicants within BME groups and/or those with disabilities, by effective monitoring of those applying for housing and those allocated social housing by the Council.
8. The Council will continue to provide advice and assistance to those on the housing register and monitor applicants in high housing need who are “not bidding”, to ensure they receive the support necessary to use the Choice-Based Lettings (CBL) scheme and receive a suitable offer of housing.

Financial Implications

9. Social housing is a scarce resource. The new Allocations Scheme continues to prioritise those in the most housing need for an allocation of social housing to make the best use of the limited number of properties becoming available each year.
10. Procedures remain in place to assess the suitability of housing applicants for an offer of social housing with the aim of ensuring applicants are only normally offered social housing where the tenant is considered suitable for an offer and the property meets their housing requirements. To ensure any new tenants are able to comply with the terms of their tenancy including the payment of their rent and where adaptations are required to the property costs are kept to a minimum.
11. The Allocations Scheme continues to award high priority to existing tenants in social housing seeking to downsize to a smaller property so the property they have left can be re-let to a family in housing need. Council tenants of working age, who are under-occupying a family property and have requested to move, will continue to be offered assistance with finding alternative housing and compensation through the Removal Expenses Mobility Scheme, including Council tenants

affected by the “bedroom tax” where the tenant is taking reasonable steps to pay their rent. The Allocations Scheme continues to allow some flexibility in making offers to housing applicants with rent arrears who are affected by the introduction of the “benefit cap” where the applicant is taking reasonable steps to pay their rent and is considered suitable for an offer of housing.

12. The proposed changes to the size of properties applicants are eligible to apply for will help, to minimise the allocation of social housing to tenants who could be affected “bedroom tax” in the future, and fail to pay the shortfall in rent to the Council. The changes are also consistent with the Council’s aim to prevent homelessness and reduce the number of households in temporary accommodation and the cost to the Council and take into account recommendations from an independent review of the service.
13. The costs associated with the changes required following the introduction of the Allocations Scheme, including updates to the Housing Management Information System, Choice-Based Lettings system, new literature and staff training have been accounted for in the budget for 2013/14. Changes will be undertaken by existing staff where possible to keep the costs to a minimum.

Legal Implications

14. The new Allocations Scheme has been drafted to take into account changes introduced since the drafting of the existing Allocations Scheme in July 2009. This includes changes in legislation introduced by the Localism Act 2011 and Welfare Reform Act 2012, the “Allocation of accommodation: guidance for local housing authorities in England”2012 issued by the department of the Communities and Local Government and the Council’s new Tenancy and Homeless Strategies.
15. Advice has been taken from the Council’s legal team during the drafting of the new scheme and it is considered to comply with current legal requirements. Although all Allocations Schemes are open to legal challenge, it is considered unlikely at this time that any such challenge against the legality of the allocations scheme would be successful.

Name and contact details of author:

Tom Porter
Allocations Manager
Housing Needs
Tel: 01865 252713 Email: tporter@oxford.gov.uk

List of background papers: None

Version number: Final