

To: City Executive Board

Date: 12th January 2011

Item No: 7

Report of: Head of Service, Community Housing & Community Development

Title of Report: Implementation report on the de-designation of designated elderly accommodation

Summary and Recommendations

Purpose of report: To seek approval to implement a programme of de-designating council housing stock currently designated as elderly accommodation

Key decision? Yes

Executive lead member: Councillor Joe McManners

Policy Framework: This report supports the Council's objectives relating to housing and social inclusion

Recommendation(s): Board is asked to agree the following actions:

- (1) To approve the proposed changes to the designation of designated elderly housing accommodation as detailed in the report, namely:
 - a. To allocate all bungalows listed in Appendix 1, as set out in paragraph 12 of this report, effective from 1st April 2011
 - b. To de-designate the stock listed in Appendix 2, as set out in paragraphs 13 & 14 of this report, on a annual rolling programme, as set out in paragraphs 28 to 30, starting from 1st April 2011
- (2) To delegate to the Head of Service, Community Housing & Community Development, the authority to amend the programme dates, as set out in this report, as considered appropriate, in light of the annual review processes set out in paragraphs 17 and 20
- (3) To note the other measures, outlined in paragraphs 19 to 27 of the report, designed to mitigate any detrimental impact from this change

Appendices to report:

Appendix 1 – Bungalows to be allocated differently

Appendix 2 – Council housing stock to be de-designated

Appendix 3 – Protocol for the operation of the new tenancy sustainment

function in relation to issues in any former designated stock
Appendix 4 – Protocol for the management of any anti-social behaviour in
former designated elderly stock

Introduction & background

- 1 In October 2009, the Communities and Partnership Scrutiny Committee agreed to set up a Panel to consider the number and type of properties that were currently designated to only be let to those persons over 40 years of age. The scope of the panel excluded Sheltered accommodation, which has been reviewed separately. The panel comprised of four members and a tenant representative.
- 2 The review was necessitated by the large, and growing, mismatch between the low amount of one bedroom council accommodation that was available to singles & couples under 40 years of age, and the large number of such households in housing need.
- 3 As at November 2009, 52% of applicants waiting for one bed accommodation on the housing register were under 40. 74% of applicants requiring one bed accommodation, and assessed into bands 1 or 2 on the register (highest need), were under 40.
- 4 At the same time, 78% of all council one bed accommodation was designated for the 'elderly' in some way. This consisted of 807 units of "Designated Elderly 1" accommodation (allocated to single people/ couples over 40); 423 units of "Designated Elderly 2" accommodation (usually allocated to people over 55); and 341 units of Sheltered accommodation (usually allocated to persons over 60, with a support need).
- 5 This contrasted with 421 units of one bed accommodation, that were not designated (and were therefore available to single people or couples over 18 years of age). Approximately 100 of such units (and one bed non-designated housing association accommodation) were expected to become available for letting in the 09/10 year, of which the allocation target was to allocate 15% to the General Housing register.
- 6 The starkest indication of the limited options for the under 40 age group, was that there were 1140 applicants waiting for those 15 offers due in the year. The pressure of this type of accommodation also restricted the council's ability to move customers on from homeless temporary accommodation, and as one option for moving clients on from front-line homeless hostels in the city.
- 7 In order to redress the balance between the supply of, and demand for, this type of accommodation, it was proposed that less than half of all council studio and one bedroom accommodation should be designated for people over 40 years of age. That would require at least 550 'designated' units to be de-designated. However, it was also felt that

- using 40 years of age as the allocation threshold for some accommodation, was no longer appropriate and should be reviewed. If this resulted in a higher age threshold, then clearly more units of designated accommodation would need to be de-designated in order to balance the housing stock to meet demand.
- 8 The outcome and recommendations of the Panel were reported to the Communities and Partnership Scrutiny Committee on 13th September 2010. The Committee commended these to the City Executive Board on 6th October 2010.
 - 9 It is not proposed to duplicate the detail of that report here, but the panel considered a range of material, including detailed analysis of housing need; detailed information about the council stock currently known as 'designated elderly' (including location, block size, tenant age profiles, lettablility and popularity); housing management considerations and any risk factors associated with de-designation; how other housing authorities manage this issue; and the practical implications of introducing a change (including any transitional or phasing approaches).
 - 10 Two consultation sessions were also held with the Tenants Involvement and Monitoring Panel (IMP), in order to help understand any comments or concerns with this proposal. Two member briefing sessions were also arranged to inform members of the panel's interim report. Issues from both the IMP and Councillor briefing sessions were considered by the Panel, before drafting the final report to the Scrutiny Committee.
 - 11 Consideration was given to wider consultation, but it was not considered that this exercise would be worthwhile. Comments and concerns had already been collected from officers, tenant representatives, and councillors. In addition, other social housing providers had been contacted regarding their experience and best practice. A pilot de-designation programme had also already been trailed. These have all contributed to the proposal set out in this report, including the mitigation measures outlined. It was expected that consultation with existing residents of designated elderly accommodation would favour maintaining the status quo, whereas consultation with under 40 year olds, waiting for one bed accommodation on the housing register, would prefer that the designation was removed.
 - 12 The changes proposed in this implementation report are the same as the proposals from the Scrutiny Committee, however this report also seeks to provide more detail and reassurance that any negative impacts that could result from de-designation have been considered, with proposals set out as to how these can be mitigated.

Proposed change

- 13 That all 175 Designated Elderly One bungalows, and all 92 Designated

- Elderly Two bungalows, are instead allocated as follows. First preference to anyone requiring a level access property (mobility 1) regardless of age. If there is no-one suitable, in any band, then the second preference will be to anyone suitable over 55 years of age. If this does not result in a successful letting, the property will be re-advertised without any eligibility restriction on mobility needs or on age. This relates to 267 bungalows in total, which are listed in Appendix 1 to this report.
- 14 That all remaining Designated Elderly One properties (632 units) will be incrementally de-designated over a five year period, in accordance with the phasing shown in Appendix 2. This phasing representing the de-designation of properties, considered to have the lowest risk of any resulting housing management issues, first.
 - 15 That 145 Designated Elderly Two properties are also incrementally de-designated over a five year period, in accordance with the phasing shown in Appendix 2.
 - 16 This will leave 185 Designated Elderly Two units of accommodation, at the end of the programme. These units will continue to be allocated to suitable single people or couples over the age of 55 years of age, in the first instance. If there is no-one suitable, in any band, then the second preference will be to anyone suitable over 40 years of age.
 - 17 It should be noted that there is no proposal to empty and re-allocate any of the properties listed as being 'de-designated'. Any change will only take place when a property becomes vacant and is to be re-allocated to someone else. At that point, anyone eligible for that property type and size will be able to bid for it, through the Choice Based Lettings system. Eligibility will no longer be further restricted by age (over the age of 40 or 55 respectively).
 - 18 An annual review process will be established to consider any impact of the de-designation process, and to recommend whether the phasing of properties in future years should be brought forward (to de-designate at a faster pace than proposed here) or delayed (to de-designate slower than proposed here). This review will include councillors and tenant representatives, working with officers, to objectively review new age profiles in the properties/ blocks concerned; allocations made to de-designated blocks over the past year; whether those tenancies have been sustained without issue; and any specific actions that have been required in order for impacts to be mitigated. That the review will be willing to report to the Communities and Partnership Scrutiny Committee, should it wish to receive such a report.
 - 19 That this change is communicated to all existing tenants through a substantial newsletter article – outlining the reasons for the change and how this programme is to be conducted. Furthermore, that tenants in the blocks to be de-designated, and their ward councillors, are written

to, to confirm the change and invite them to a Tenants and Residents Association Meeting, or other suitable meeting or local surgery, to hear more detail and ask questions.

Mitigating any possible detrimental impact

- 20 The proposed changes, as outlined above, recommend a phased approach to the programme, only proceeding year by year, for the five years of de-designations. This phased approach is based on a risk assessment of each property, or block/ scheme. Each was given a risk rating (1-5, with 1 being the lowest risk) relating to whether the change might result in any increase in tenancy issues, or housing management workload. Factors that were considered in making this judgement, included existing issues and housing management workloads; current age profiles of existing residents (in particular the proportion of tenants over 70 years of age); and the size and location of blocks (and in particular whether it already included, or was adjacent to, mixed/ family accommodation). This phasing de-designates the properties where least impact is expected first, only moving on to other properties, when this has been implemented satisfactorily in the year before.
- 21 An agreed review process, including councillors and tenant representatives, will scrutinise the programme on an annual basis to make suggestions, or to recommend a change to the pace of the change.
- 22 Additional and more focused tenancy sustainment resources will be provided, in order to ensure that there is additional capacity within the 'tenancy management' function to be able to effectively target any issues associated with 'younger' tenants moving into previously designated stock (See proposed protocol in Appendix 3).
- 23 Further change will be implemented to ensure the more focused tackling of low level Anti-Social Behaviour – through the CANAcT team (See proposed protocol in Appendix 4).
- 24 Should tenancy sustainment work or anti-social behaviour initiatives not resolve issues between 'old' and 'new'/ 'older' and 'younger' tenants in de-designated blocks, and the issue can only be attributed to 'lifestyle differences' then, should any tenant over the age of 70 years of age, wish to be transferred into the remaining designated or sheltered schemes, then a report will be prepared for the Exceptional Circumstances Panel (ECP) in order to make a case for the panel to consider enhancing the priority of the transfer application.
- 25 That the Allocations team will continue to undertake work to improve information held about housing applicants, in particular tenancy histories (taking landlord references as appropriate). The team will also continue to ensure that any applicant who is to be made an offer of

accommodation has been visited by the team, or an ORAH (Oxford Register for Affordable Housing) partner, in the preceding 12 months. All applications will also be reviewed at the shortlisting stage, to ensure that the property and area are appropriate for the household; that the applicant is eligible and suitable for the offer; that if any support needs have been identified, that there is an appropriate support plan in place; and that all checks show that the applicant will be able to sustain their new tenancy. Where applicants 'move-on' from frontline homeless hostels, the hostels will continue to work with the client to support and resettle them into their new tenancy for a minimum of three months, when they will ensure that support services continue to be provided from floating support providers, as required.

- 26 Introductory Tenancies will continue to be used for all new council tenancies, as appropriate. That effectively gives a tenancy with limited security, for the initial 12 month period, for applicants that are completely new to living in council accommodation. Where issues are identified within that period, Officers will work with the tenant to ensure these are addressed. This, on occasion, could mean extending the introductory tenancy for a further 6 months. If all measures fail, and it is considered appropriate, the tenancy can also be ended, with the tenant evicted and possession of the property given back to the council. Where necessary, in cases where the tenant has spent the immediate preceding period in council accommodation (including council temporary accommodation), an introductory tenancy will be reduced in length accordingly, or a secure tenancy awarded in cases where the tenant has lived in such accommodation for over a year previously.
- 27 It is also expected that the effective communications & tenant/ councillor involvement that has been previously set out, will ensure that tenants are aware of the changes, and of the measures being put in place to ensure that this works. Should any difficulties arise, it is therefore hoped that tenants will know where to turn, and be assured that assistance will be given to them.
- 28 The Panel also considered other possible mitigation options, but discounted these. This included whether Local Lettings Plans (LLPs) could be established to further control applicant eligibility for certain blocks (but the number of units that this would impact on, was considered too large, and the fact that the change was not to be time limited, meant that LLPs were not considered appropriate. The initial pilot scheme for de-designation (at Rose Hill flats, Rose Hill) also included a transitional arrangement for existing elderly tenants to be helped to move (with expenses paid). This approach was not considered scaleable, in terms of the funds that would be required, and also it was considered that the financial incentive in the pilot probably distorted the wishes of some existing tenants to move, and was not therefore helpful in a wider programme.

Proposed timetable for implementation

- 29 It is proposed that this change is implemented from 1st April 2011. By this time, it is expected that the new working arrangements as set out in the Council 2012 restructure, as it relates to the restructure of housing, will be operative.
- 30 The annual review process, as set out above, allows for detailed consideration to be given to any impact from the de-designation programme at regular stages through the initial programme of de-designation.
- 31 The changes to working practices and structures as set out here and in the Council 2012 proposals, should support this programme over this period, and beyond. The change is expected to take a considerable number of years before most the of property de-designated, will have been allocated under this new process (without eligibility restricted by age).

Level of risk

- 32 Consideration has been given to the risks associated with this proposal. There are not considered to be any organisational or financial risks associated with this report. Any risk in terms of possible detrimental impact on existing residents is dealt with in the main body of the report.

Climate change/ environmental impact

- 33 There is not considered to be any climate change or environmental impact as a result of this report.

Equalities impact

- 34 This report changes how some properties are allocated according to age. A number of properties will no longer be designated to single people and couples over 40 years of age. The number of properties solely allocated to people over 55 years of age will also be reduced. More property will be available to single people and couples that are over 18 years of age however.
- 35 Whilst this may limit the re-housing chances of some persons aged over 40 years, this does not exclude them from such accommodation. It redresses the supply of accommodation to match demand, with more opportunity of being re-housed being given to single people and couples, in higher housing need, that are in the 18-39 age group.
- 36 Black and Minority Ethnic (BME) groups are under-represented in

council designated elderly accommodation, and over-represented generally, on the housing register. As such, if there is any BME impact from this report, it is expected that this will be to assist those applicants in sufficiently high housing need, to have a realistic prospect of successfully bidding for accommodation, to bid for more property than they are currently able to, due to the age designation. See table below for information in relation to this:

BME Group	% for pop'n of Oxford (2007 estimate)	% for tenants of des elderly	% on 1 bed hsg register (under 40)	% on 1 bed hsg register (40 or over)
White	82.8	85.4	57.7	71.0
Mixed	2.8	0.8	3.3	1.1
Asian/ Asian British	6.2	1.8	4.4	2.6
Black/ Black British	3.2	7.5	16.7	11.6
Chinese/ Other	5.1	1.2	1.6	1.1
None Stated	n/a	3.3	16.2	12.7

- 37 The proposal regarding bungalows, will allow for younger persons with sufficient mobility problems to bid for bungalows, regardless of their age. Applicants (18-39 years) that require bungalows for mobility needs will therefore be able to bid for these on the same basis as older applicants with a mobility need. Approximately 9% of the demand for one bed (mobility one) bungalows are from applicants under 40 years of age.

Financial implications

- 38 There is not considered to be any direct financial implications as a result of this report. The funding of alternative management arrangements is within existing budgets and is further referenced in the Council 2012 restructure proposals.

Legal implications

- 39 The proposals in this report have no direct legal implication. There is sufficient flexibility within the current Allocation Scheme to allocate properties in accordance with the changes detailed in this report. The 'designation' of individual properties is not part of the Allocation Scheme.
- 40 A change will be made to the Allocation Scheme at an appropriate time, to remove the reference to 'Designated Elderly One' accommodation.

- 41 The changes may reduce the potential risk of a challenge to the Council, as it will allow for a more balanced allocation of council accommodation according to housing need, with an improved ability to allocate to groups that are often more likely to be considered to have a 'reasonable preference'.
- 42 The consequences of this change on lettings to elderly designated and non-designated non-family accommodation, in terms of the numbers of units expected to become available for lettings, per annum, will be reflected in the annual report CEB and Council, as now, with Council asked to approve target allocation letting targets for the following year.

Conclusion

- 43 As stated above, the de-designation of most designated elderly council accommodation is very necessary, in order to better meet local housing need. It is recognised however, that the transition from the current position to the desired one, will raise some concerns. This report hopes to overcome these, by setting out a staged five year programme, with various measures to ensure the sustainment of proposal time. It is also recognised, that it will be many years, before all such stock is actually relet as de-designated accommodation.
- 44 The final stock position at the end of the de-designation programme, will be to have a much smaller amount of designated accommodation (185 units), that is more focused on an older age group (55 years or over). In addition, there will continue to be sheltered housing schemes, and the 267 bungalows within council stock, will be let to applicants over 55 years of age, should no suitable person with a mobility need require one.

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Background papers:

None

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