

**TELFORD & WREKIN COUNCIL**

**CABINET – 18<sup>th</sup> March 2021**

**REVIEW OF TELFORD & WREKIN COUNCIL'S HOUSING ALLOCATION POLICY**

**REPORT OF THE DIRECTOR - HOUSING, EMPLOYMENT & INFRASTRUCTURE**

**LEAD CABINET MEMBER – COUNCILLOR DAVID WRIGHT**

**PART A) – SUMMARY REPORT**

**1. SUMMARY OF MAIN PROPOSALS**

- 1.1 This report introduces a draft version of the Council's revised Housing Allocation Policy. The Policy which is a legal requirement, enables the Council to work with local housing associations (Registered Providers) and to influence how they allocate their properties in Telford & Wrekin. It also sets the context for when the Council nominates a household in need to a housing association. The Council's wider Housing Allocation Scheme also includes its Tenancy Strategy. Housing Associations must 'have regard to' the Policy and Tenancy Strategy but will also have their own Allocations Policies.
- 1.2 The draft Policy supports the Council's commitment to ensure that every child, young person and adult lives well in their community and the objectives set out in the Housing Strategy:
- To create sustainable, accessible, affordable and integrated communities
  - To make the BEST use of our existing homes
  - To provide homes to support and empower our most vulnerable people
- 1.3 While the Council does not hold a stock of social housing and does not operate a Housing Register or Waiting List, it supports local residents and households who are in housing need to find a home within the borough by:
- Advising and signposting them to apply direct to a local housing association
  - Being nominated to a housing association property by the Council
  - Receiving advice and support from the Council's Housing Solutions Service.
  - Publishing a Housing Allocation Policy
- 1.4 The Council's Housing Allocation Policy was last updated in June 2015. It is timely to review this given new national legislation and some imminent changes in local arrangements for accessing social housing let by a number of housing associations. These changes have also provided the opportunity to review arrangements for the nomination of households in need by the Council to a number of local housing providers. The Council and the main local providers have been working closely together on this and the development of the draft Allocation Policy.
- 1.5 The Policy, in line with national guidance, gives 'reasonable preference' for social housing to those who:
- are homeless (statutory and non-statutory)
  - are living in unsatisfactory housing conditions
  - are owed a duty by any housing authority

- need to move on medical or welfare grounds (including disability)
- need to move to a particular locality in the area to avoid hardship

The Council may also give additional preference to households who don't fall into these categories but have urgent housing needs, based on local circumstances. It is proposed that this will include:

- Those who would otherwise become homeless, which a planned move could prevent
- Those supported by Council homelessness prevention initiatives
- Those whose health will significantly deteriorate without a move
- Those moving on from supported or specialist accommodation
- Care leavers
- Those in adapted properties where the adaptations are no longer required
- Those needing to move to take up employment
- Households living in overcrowded accommodation
- Those who are under occupying a home which could be used to provide a home for a larger family
- Members of the armed forces and their families

1.6 An eight week period of consultation is proposed with local partners and key stakeholders. Any significant changes to the draft Policy arising from the consultation will be brought back to Cabinet for consideration.

<b>2. <u>RECOMMENDATIONS</u></b>	
<b><u>It is recommended that:-</u></b>	
<b>2.1</b>	<b>Cabinet approves the Council's revised draft Housing Allocation Policy and Tenancy Strategy for consultation.</b>
<b>2.2</b>	<b>Cabinet agrees an eight week period of external consultation.</b>
<b>2.3</b>	<b>Cabinet delegates responsibility to the Director - Housing, Employment and Infrastructure, in consultation with the Cabinet Member for Economy, Housing, Transport &amp; Infrastructure to update and finalise the draft Policy &amp; Strategy following the consultation. Any significant changes required as a result of external consultation will be brought back to Cabinet for approval before the Policy &amp; Strategy are finalised.</b>

**3. SUMMARY IMPACT ASSESSMENT**

<b>COMMUNITY IMPACT</b>	Do these proposals contribute to specific Co-Operative Council priority objective(s)?	
	Yes	Every child, young person and adult lives well in their community.
	Will the proposals impact on specific groups of people?	
	Yes	All members of the community that are seeking or living in social housing.
<b>TARGET COMPLETION/ DELIVERY DATE</b>	It is proposed that an eight week consultation be undertaken. Following the analysis of consultation responses, the document will be finalised as soon as possible.	

<b>FINANCIAL/ VALUE FOR MONEY IMPACT</b>	Yes	The revised Housing Allocation Policy and Tenancy Strategy does not place additional financial pressures on the Council. Any costs arising from the consultation process with key stakeholders and partners will be met from within current resources.  The recommendations arising from the consultation process will be reviewed. Any financial implications arising from that process will be identified within a further report to Cabinet.  (AEM 11/02/21)
<b>LEGAL ISSUES</b>	Yes	The Council has legal obligations under the Localism Act 2011 and the Housing Act 1996 to prepare a tenancy strategy and housing allocations policy respectively. The proposals contained in this report comply with those obligations. Legal advice can be given on any matters arising from the consultation or on the application of either the policy or strategy as required.  (AL 11/02/2021)
<b>OTHER IMPACTS, RISKS &amp; OPPORTUNITIES</b>	Yes	The updated policy and related arrangements aim to enable the Council to work with housing providers to meet local housing needs and to make the best use of the borough's housing stock.
<b>IMPACT ON SPECIFIC WARDS</b>	No	Borough-wide impact

## **PART B) – ADDITIONAL INFORMATION**

### **4. INFORMATION**

#### Background

4.1 The 1996 Housing Act requires all local housing authorities to:

- have a Housing Allocation Policy which sets out the priorities for the allocation of social<sup>1</sup> housing and states how affordable homes in their area will be let
- make all nominations by the Council in accordance with the Policy

4.2 Local housing authorities that do not own social housing stock must still have an Allocation Policy. This is because the Council makes a housing allocation when it nominates a person to be a tenant of accommodation owned by a housing association.

4.3 An Allocation Policy must give reasonable preference to applicants with certain housing needs including those:

- who are homeless (statutory and non-statutory)
- living in unsatisfactory housing conditions
- are owed a duty by any housing authority
- who need to move on medical or welfare grounds (including disability)

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<sup>1</sup> Social housing is provided by housing associations (or 'Registered Providers') at relatively more affordable rents and usually on a secure, long-term tenancy.

- who need to move to a particular locality in the area to avoid hardship (to themselves or others)
- 4.4 Housing authorities may also give additional preference within their scheme to households who do not fall within their reasonable preference criteria and have urgent housing needs. This should reflect local circumstances.
- 4.5 Housing Associations must co-operate with local authorities in meeting local housing needs. This includes assisting with their homelessness duties and working with them on nominations agreements. Housing associations will have their own Allocations Policies but must 'have regard to' those of the Local Authority when making allocations.
- 4.6 Supported and specialist housing accommodation is subject to separate arrangements which take account an individual's care and support needs.

#### Tenancy Strategy

- 4.7 A local authority's Tenancy Strategy should recommend to housing associations;
- the type and term of tenancy they should grant and under what circumstances
  - when another tenancy should be granted at the end of a fixed term tenancy
  - what it expects of housing providers in relation to housing advice and assistance where the tenancy will end after the fixed term.
- 4.8 This should also be developed in consultation with local stakeholders and forms part of the Housing Allocation Scheme.

#### Local Context

- 4.9 Social housing, provided by local housing associations, is an essential part of Telford & Wrekin's overall housing provision. Within the borough:
- There are around 13,650 social housing properties for rent in the borough – some 18% of all homes.
  - The largest provider is The Wrekin Housing Group (WHG) with c.9,700 homes.
  - Sanctuary, Bromford and BVT each have c.1,000 homes.
  - Over the last five years other housing providers have started to develop in the borough including Housing Plus, whg, Connexus and Trident and there are a number of other smaller and specialist providers
  - There is a continuing shortfall of more than 660 affordable homes each year in the borough. Despite the delivery of around 300 new affordable homes each year, continuing losses to the sector has meant that total provision remains largely static.
  - During 2020 over 1,500 households approached the Council who were homeless or threatened with homelessness within 56 days.
- 4.10 Aside from properties owned by WHG, the majority of social housing in the borough is currently advertised and allocated through Homes Direct. This system is operated by Midlands Heart. Midlands Heart have decided to close Homes Direct from 31 March 2021 and, as a result, the main housing associations will introduce their own arrangements for advertising and allocating their homes. This will mean there will be a greater number of ways of finding a home and the journey for customers will be different.

4.11 The Council and the larger housing associations are currently working together to prepare for this change from April 2021. This includes

- Using the Council's website to provide easy access information, advice and links to ensure the changes are understood by customers and as easy to use as possible
- Providing support and advice to local residents who are currently registered on Homes Direct
- Creating a new joint approach to nominations (see below) which aims to increase the number of nominations the Council is able to make to providers to support those in housing need
- Offering Telford Homefinder as the basis for a number of local housing associations to advertise properties which are not subject to nomination

#### Housing Allocation Policy

4.12 The updated draft Allocation Policy (Appendix 1) sets out

- The local context and The Council's priorities
- Who qualifies, and who is eligible for, social housing in the borough.
- Priorities for housing associations to take account of when making allocations of social housing, in conjunction with their own respective Allocation policies
- The basis for the Council making nominations to housing associations
- The Council's Tenancy Strategy

4.13 As required by the Housing Act (1996) the Policy gives priority to the 'reasonable preference' groups set out in para 4.3.

4.14 Priority is also then proposed to be given to a number of 'additional preference' groups (see Table 1 below), including

- Those who would otherwise become homeless, which a planned move could prevent
- Those supported by Council homelessness prevention initiatives
- Those whose health will significantly deteriorate without a move
- Those moving on from supported or specialist accommodation
- Care leavers
- Those in adapted properties where the adaptations are no longer required
- Those needing to move to take up employment
- Households living in overcrowded accommodation
- Those who are under occupying a home which could be used to provide a home for a larger family
- Members of the armed forces and their families

4.15 The Allocation Policy is based on **four** categories:

- Emergency and high priority
- Urgent need to move
- Identified housing need
- Low housing need

Full details of the specific needs in these categories are set out below:

**Table 1. Allocation Policy - Priority Groups**

Criteria	Examples of need
Emergency and high priority	<ul style="list-style-type: none"> <li>▪ Statutory Homeless applicants who are owed a full housing duty</li> <li>▪ Medical &amp; Care Emergency</li> <li>▪ Move to allow major repairs, modernisation or redevelopment</li> <li>▪ Overcrowding and short of 3 or more bedrooms</li> <li>▪ Ongoing domestic abuse or harassment that can only be resolved by moving home</li> <li>▪ Applicants leaving the armed forces</li> <li>▪ Under occupying by 1 or more bedrooms.</li> </ul>
Urgent need to move	<ul style="list-style-type: none"> <li>▪ Other homeless applicants and those who are under threat of being homeless</li> <li>▪ Applicants moving on from supported or specialist accommodation (with the agreement of the provider)</li> <li>▪ Care leavers</li> <li>▪ Overcrowding and short of 2 bedrooms</li> <li>▪ Lacking basic facilities</li> <li>▪ Families with children under 10 years old living in upper floor flats with no lifts</li> <li>▪ Loss of tied accommodation</li> <li>▪ Applicants needing to move to take up employment or to make it easier to get to work.</li> </ul>
Identified housing need	<ul style="list-style-type: none"> <li>▪ Applicants who have been approved as foster or adoptive parents and require an additional bedroom to facilitate a placement</li> <li>▪ Applicants who need to be closer to family and friends</li> <li>▪ Applicants with any other reasonable housing needs</li> <li>▪ Overcrowding and short of 1 bedroom</li> <li>▪ Sharing facilities with another household</li> <li>▪ Property in minor disrepair</li> </ul>
Low housing need	<ul style="list-style-type: none"> <li>▪ Applicants who have no identified housing need</li> <li>▪ Applicants who have deliberately worsened their housing circumstances</li> <li>▪ Applicants who are in debt to a current or previous landlord for rent, service charges and other property related recharges and don't have an agreement in place.</li> </ul>

Nominations by the Council

4.16 While the Council does not operate a housing waiting list or register, it maintains a 'pool' of households seeking advice and support and who are homeless or at risk of becoming homeless. In 2020 it received over 1,500 formal enquiries from households in this position. The Council currently makes a number of nominations of households in housing need to providers on an informal basis.

4.17 As part of developing the new Allocation Policy, the Council has been working with local providers to establish a formal joint nominations agreement and to increase the number of successful nominations that are made directly to housing associations.

4.18 Where the Council is given the opportunity to make a nomination to a suitable property it will make up to three nominations for consideration. They will include one *primary* nomination and up to two *secondary* nominations defined as:

- **Primary** - Households in **Main Duty or Relief Duty** under the Homelessness Reduction Act
- **Secondary** - Households in **Main Duty, Relief Duty or in Prevention** under the Homelessness Reduction Act

This will include households:

- who are homeless.
- who are owed a specific legal duty by another housing authority.
- occupying **unsanitary or overcrowded housing** (based on 'the bedroom standard) or otherwise living in unsatisfactory housing conditions.
- who need to move on **medical or welfare grounds**, including grounds relating to disability.
- who need to move to a particular locality in the district of the housing authority, where failure to meet that need would cause **hardship** (to themselves or others).
- in the Council's **additional preference** categories.

4.19 As part of its nomination process the Council will assess the housing needs of the customer against the specification and location of the available property. It will then makes its nomination(s) based on the level and urgency of housing need and in the order of the date their enquiry to the Council was validated.

4.20 It has been agreed with the housing associations to trial these arrangements from April 2021 for twelve months. This will allow for the monitoring of outcomes, further discussion with larger providers who were not part of Midland Heart's letting system and the possible extension to other, smaller and specialist providers.

#### Consultation

4.21 As required under the relevant Code of Guidance, it is proposed to undertake an eight week consultation on the draft Housing Allocation Policy with local housing associations, other providers and stakeholders. Depending on the outcome of the consultation, these documents may need to be reconsidered by Cabinet prior to finalisation.

#### 5. **IMPACT ASSESSMENT – ADDITIONAL INFORMATION**

No further comments.

#### 6. **PREVIOUS MINUTES**

Cabinet minute CB-6 25 June 2015

#### 7. **BACKGROUND PAPERS**

- The Housing Act, 1996
- The Localism Act, 2011
- Allocation of accommodation: guidance for local authorities in England (2020). Ministry of Housing, Communities and Local Government (MHCLG).

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