

REPORT TO: Executive Board
DATE: 13th December 2012
REPORTING OFFICER: Strategic Director, Communities
PORTFOLIO: Health and Adults
SUBJECT: Amendment to Housing Allocations Policy
WARD(S) All

1.0 PURPOSE OF THE REPORT

1.1 The report seeks the Board's approval to amend the Council's Housing Allocations Policy in response to new regulations introduced by Government in relation to the treatment of Armed Forces personnel, and to commence consultation on other potential changes to the Policy.

2.0 RECOMMENDATION: That-

- 1. subject to the unanimous agreement of the authorities participating in the sub regional Property Pool Plus scheme, the Board agrees to amend the Council's Housing Allocations policy to include the additional wording in italics set out in Appendix 1, to exempt Armed Forces personnel from the local connection criteria; and**
- 2. the Board approves the undertaking of consultation for the purpose of further amending the Housing Allocations Policy to take account of provisions within the Localism Act 2011 and the new Housing Allocations Code of Guidance.**
- 3. A further report on the outcome of the consultation be submitted for consideration.**

3.0 SUPPORTING INFORMATION

3.1 The Council's Housing Allocations Policy was approved by Board on the 3rd March 2011 and implemented with effect from the 9th July 2012 when the new Choice Based Lettings scheme 'Property Pool Plus' went live in Halton. It is a policy which is common to the other local authorities participating in the sub regional scheme.

3.2 In order to give preference to local residents the Policy contains a requirement for applicants to demonstrate a 'local connection'. The current local connection criteria are set out in Appendix 1.

- 3.3 On the 20th July authorities were notified that as part of the Government's commitment to support the Armed Forces through the Military Covenant, new regulations would come into force on the 24th August 2012 relating to Armed Forces personnel and local connection criteria. (*The Allocation of Housing (Qualification Criteria for Armed Forces)(England) Regulations 2012 (SI 2012/1869)*).
- 3.4 The regulations require that, where Local Authorities decide to use a local connection requirement as a qualifying criterion (i.e. to join the housing register), they must not apply that criterion to the following persons so as to disqualify them from an allocation of social housing:
- a) those who are currently serving in the regular forces or who were serving in the regular forces at any time in the five years preceding their application for an allocation of social housing;
 - b) bereaved spouses or civil partners of those serving in the regular forces where (i) the bereaved spouse or civil partner has recently ceased, or will cease to be entitled to reside in Ministry of Defence accommodation following the death of their service spouse or civil partner, and (ii) the death was wholly or partly attributable to their service;
 - c) existing or former members of the reserve forces who are suffering from a serious injury, illness, or disability which is wholly or partly attributable to their service.
- 3.5 Although the current Policy does not use local connection as a qualifying criterion to join the housing register, it does significantly reduce the rehousing prospects of those that fail to meet the criteria. The sub regional Choice Based Lettings group has therefore proposed that the Policy be amended to incorporate the wording set out in italics in the Appendix in order to follow the spirit of the regulation. This will ensure that those defined categories of Armed Forces personnel are not disadvantaged in terms of securing accommodation.
- 3.6 A similar recommendation is to be presented to the Cabinets of the other partner authorities and the Board is requested to agree this change subject to the unanimous agreement of all authorities.
- 3.7 Further changes to the Policy are being considered as a consequence of new freedoms contained in the Localism Act 2011 and recent revisions to the Housing Allocations Code of Guidance. Additionally changes necessary to clarify and improve the existing Policy have also come to light since the scheme went live, and it is therefore proposed that the partner authorities collaborate on a

common consultation exercise to seek views about the following options:

- A local connection exemption similar to that described in the earlier part of the report be given to children of deceased Armed Forces personnel aged 16-21 years where there are no surviving parents.
- The requirement for a bedroom to be not less than 10 square metres for it to be classed as suitable for two persons to share.
- The inclusion of a homeless prevention category in the Banding scheme.
- Reducing the period of time which applicants are required to be in employment before being granted Band D.
- Whether community work/volunteering should also warrant applicants with no housing priority gaining Band D status.
- Whether owner occupiers should be allowed to register for housing, or if there should be equity thresholds, and whether any tenancy granted should be subject to proof of any property being sold within a defined timescale.
- The addition of an income and/or savings threshold at which point it would be deemed that applicants could afford to obtain a property through the private sector, and what level this should be set at.
- Specifying priority for those formally approved for fostering and adoption under Band B, these households would be eligible for an additional bedroom.
- Preventing those who have been re-housed through the scheme so that they cannot re-apply within 12 months if their circumstances have not changed.
- Changing the local connection criteria to exclude those from outside the City Region (except Armed forces). Others would only gain a local connection in extraordinary circumstances.
- Revise and simplify the criteria for those applicants considered ineligible to join the waiting list.

3.8 Subject to Board agreeing this consultation, it is anticipated that it would take place over a 12 week period commencing early in the new year, with results and recommendations coming back to Board in the Spring.

4.0 **POLICY IMPLICATIONS**

4.1 The practical impact of the local connection change for Armed Forces personnel is unlikely to be great since most people seek to live where they have roots, family ties, or work which are all elements of establishing a local connection anyway, and the number of Armed Forces personnel seeking accommodation is quite small. For this reason it is not proposed to undertake a formal consultation

for this specific Policy change but to simply inform applicants on the Property Pool Plus register when the change comes in to effect.

5.0 FINANCIAL IMPLICATIONS

5.1 There are no financial implications.

6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

None identified at this stage.

7.0 RISK ANALYSIS

7.1 None identified at this stage.

8.0 EQUALITY AND DIVERSITY ISSUES

8.1 None identified at this stage.

9.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

Document	Place of Inspection	Contact Officer
Executive Board 3 rd March 2011 – Housing Allocations Policy Report	Runcorn Town Hall	Commissioning Manager (Housing)
(The Allocation of Housing (Qualification Criteria for Armed Forces)(England) Regulations 2012 (SI 2012/1869))	Runcorn Town Hall	Commissioning Manager (Housing)
Allocation of accommodation: Guidance for local housing authorities in England	Runcorn Town Hall	Commissioning Manager (Housing)

**Local Connection Criteria
(Policy Extract)**

5.10 Local Connection

5.10.1 In order to give reasonable preference to local residents, priority for rehousing within each Scheme Council Area will take into consideration a local connection within that area.

5.10.2 To demonstrate a local connection with a Scheme Council Area, an applicant must satisfy at least one of the following criteria;

- Have lived in the Scheme Council Area for 6 months out of the last 12 months or 3 years out of the last 5 years;
- Have a permanent job in the Scheme Council Area;
- Have a close family association (parent, adult child or adult brother/sister) who is currently living in the Scheme Council Area and have done so for more than 5 years;
- Have a need to be in a specific Scheme Council Area to be near to a particular health facility for long term treatment;
- Have a need to be in a specific Scheme Council Area to give or receive caring support;

Proposed additional wording

“This requirement to establish a local connection does not apply to:

- *those who are currently serving in the regular forces or who were serving in the regular forces at any time in the five years preceding their application for an allocation of social housing**
- *bereaved spouses or civil partners of those serving in the regular forces where (i) the bereaved spouse or civil partner has recently ceased**, or will cease to be entitled, to reside in Ministry of Defence accommodation following the death of their service spouse or civil partner, and (ii) the death was wholly or partly attributable to their service*
- *existing or former members of the reserve forces who are suffering from a serious injury, illness, or disability which is wholly or partly attributable to their service*

** This applies for a maximum of 5 years after discharge*

*** This would be assumed to be for a maximum of 12 months.*