

WEST DUNBARTONSHIRE COUNCIL

Report by the Executive Director of Infrastructure and Regeneration

Housing, Environment and Economic Development Committee: 5 February 2014

Subject: Interim Housing Allocation Policy Review

1. Purpose

- 1.1** This Report updates the Committee on the Allocation Policy Review in relation to forthcoming new legislation contained in the Housing (Scotland) Bill 2014 related to the allocation of social housing and to seeks approval for interim changes to West Dunbartonshire's Housing Allocation Policy pending a full review which will commence in 2014.

2. Recommendations

- 2.1** It is recommended that the Housing, Environment and Economic Development Committee:
- (i) note the content of this report and agree to the Allocation Policy Review taking place within the prescribed timetable outlined in 4.7; and
 - (ii) agree to the interim changes outlined in section 4.5 of this report;
 - (iii) delegate authority to the Executive Director of Infrastructure and Regeneration to progress actions associated with the review of the allocation policy with a view to reporting back to committee in February 2015: this will include providing members with regular briefings on progress.

3. Background

- 3.1** The Allocation Policy was last reviewed in 2010. This introduced a Groups plus Points System. It took into consideration the Housing (Scotland) Act 2001 and the Scottish Housing Regulator Interim Inspection Report in 2008 as well as other relevant legislation and reports at that time.

- 3.2** Within the Policy there was a section stating the following:

"We will review the Housing Allocations Policy every three years or sooner if required. For example we may need to review the allocations policy to comply with legislative changes. We will consult tenants, applicants and other relevant stakeholders"

- 3.3** Work has since commenced internally on reviewing the Policy, however the forthcoming Housing (Scotland) Bill 2014, which was introduced into Parliament on 21st November 2013 and is due to receive Royal Assent in Summer/Autumn 2014, has highlighted the issue of when the most appropriate time to carry out a review of the policy.

4. Main Issues

- 4.1** The Housing (Scotland) Bill due in Summer/Autumn 2014 includes a large number of proposals that directly relate to Social Landlords Allocations Policies. For the first time, Social Landlords such as the Council are being given more flexibility in their Allocation Policies through the legislation that governs the allocation of their social rented properties.

- 4.2** Consultation on 'Affordable Rented Housing: Creating More Flexibility for Landlords and Better Outcomes for Communities' took place in spring 2012. In June 2013, the Minister for Housing and Welfare announced the policy proposals that will be included in the forthcoming Housing Bill. These include:

- Giving Social landlords and their communities more flexibility to decide reasonable preference groups. *Scottish Ministers will determine groups that must be included.*
- Social Landlords will now be able to consider any property that an applicant or their household owns or has owned, unless its unreasonable for them to occupy it
- The introduction of qualifying period for partners, family members and carers of 12 months before they can succeed to a tenancy and also for assignation, sub let and joint tenancy requests. It will also provide stronger grounds for landlords to refuse these if it results in under-occupation or the person is not in housing need.
- Allowing a minimum period to be put in place before antisocial tenants are eligible for the allocation of social housing.
- Allowing landlords to give SSSTs or convert SSTs to applicants and tenants who have acted antisocially in or near their home within the last 3 years.
- Requires the Court to grant an order for recovery of possession in cases where a landlord is seeking possession because a court has convicted a tenant within the previous 12 months of using the property for illegal purposes or of an offence in or near the property that is punishable by imprisonment.

- 4.3** At present, the Council is not able to implement these changes within the Allocation Policy as they are not yet in legislation.

- 4.4** All sections of the new legislation relating to the allocation of houses will be beneficial to the development of Councils Allocation Policy. If the Council were to review the Policy at this stage, it would be required in terms of the new legislation to review it again within a few months. This would mean we would be consulting with tenants and residents and then asking them in a few

months to participate again with the new legislation. The new legislation provides a fresh platform for consultation on this topic with fewer constraints and more flexibility to shape the Policy than which would have previously been encountered.

- 4.5** Whilst it would seem sensible to delay the full Review of the Allocations Policy until nearer the time of the new legislation being implemented, it is recognised that there are issues which require to be addressed urgently as the significant impacts of Welfare Reform become clearer. The issues that require to be looked at are:

Increasing under-occupation points

Welfare Reform has led to a higher number of applicants requesting smaller properties. At the moment the current policy offers 20 points per household. It is proposed that this is changed to the following for social tenants:

- 30 points per household if underoccupied by 3 or more bedrooms
- 25 points per household if underoccupied by 2 bedrooms
- 20 points per household if underoccupied by 1 bedroom

Eligible House Size

It is proposed that the occupancy standard be changed to reflect what size of house a household is eligible for based on the size of their household; in general the following should apply in terms of who should get a separate room:

- Couples, partners and a single parent
- Children of different sexes aged 10 or over
- Children of the same sex ages 16 or over
- Any other person living as part of the household aged 16 or over

There may be exceptions to this, but in terms of some of the impacts of Welfare Reforms a clearer criteria is required.

Medical Award B

It is proposed that this category of medical is increased from 35 points under the existing policy to 60 points to increase priority.

Overcrowding

At the moment the current policy offers 35 points per household for overcrowding. It is proposed that we change this to reflect various levels of overcrowding:

- 30 points per household if overcrowded by 3 or more bedrooms
- 25 points per household if overcrowded by 2 bedrooms
- 20 points per household if overcrowded by 1 bedroom

- 4.6** It would be beneficial for these issues to be adopted immediately and through the interim period until the Policy Review takes place. Once the review is underway, these changes will form part of the Review through the significant consultation period.
- 4.7** A revised timetable has been prepared which will encompass both the interim changes and the full review of the allocation policy and this is outlined below:-

Key Milestone	Timescale
Tenant Consultation Event	30 th January 2014
HEEDs Committee – Introduce amendments to policy. Agree timetable for full review	5 th February 2014
Review to take account of Housing Bill (Autumn 2014)	March – August 2014
Consultation period	September 2014-November 2014
Report on review of Allocation Policy to HEED Committee	February 2015

5. People Implications

- 5.1** There are no direct people implications at this stage. However, the interim changes of the policy will require a training plan for staff which incorporates the policy itself and the system training requirements.
- 5.2** Meeting the requirements of the review of the Allocation Policy within the new legislative framework will be managed from within existing staffing resources within the Housing Strategy and Development Team within Housing and Community Safety. These will have to be monitored effectively to ensure the delivery of key outcomes.

6. Financial Implications

- 6.1** The interim changes to the current Allocation Policy will require amendments to our computer software. The indicative cost of the software amendments is £4,000 and can be accommodated within existing budgets.

7. Risk Analysis

- 7.1** The revisions to the Housing Allocations Policy provides the potential to improve the existing Allocations system to more adequately reflect the change in the tenant base - those applying to and being housed within the social rented sector and to respond to the unintended consequences of welfare reforms.
- 7.2** It is also recognised that by ensuring that the scheduled review of the allocation policy is delayed to coincide with the significant legislative change that it not only provides a fresh platform for consultation on this topic with fewer constraints and more flexibility to shape the Policy than before. It will

also mitigate against a cost and resource implication attached to reviewing the Allocation Policy twice in quick succession.

8. Equalities Impact Assessment (EIA)

- 8.1** No significant issues were identified in a screening for potential equality impact of this review at this stage.

9. Consultation

- 9.1** Consultation with Council Officers and tenant organisations have been an integral part of developing these proposals. This consultation has resulted in a positive level of participation in this process. In addition, a consultation event has been arranged for the 30th January 2014, this has been rearranged after adverse weather conditions forced the postponement of a meeting to discuss the proposals with tenant representatives in December 2013.

10. Strategic Assessment

- 10.1** Having considered the Council's strategic priorities, this report contributes significantly to all five strategic priorities and specifically to improve local housing and environmentally sustainable infrastructure.

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Date: 6 January 2014

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Appendices:	None
Background Papers:	Report to Housing, Environment and Economic Development Committee, Review of Allocation Policy, November 2010 Equalities Impact Assessment Screening, December 2013
Wards Affected:	All