

Cabinet



St Edmundsbury
BOROUGH COUNCIL

Title of Report:	Home-Link Lettings Policy (West Suffolk Allocations Scheme – minor and technical amendments)	
Report No:	CAB/SE/16/008	
Report to and date:	Cabinet	9 February 2016
Portfolio holder:	Sara Mildmay-White Portfolio Holder for Housing Tel: 01359 270580 Email: sara.mildmay-white@westsuffolk.gov.uk	
Lead officer:	Simon Phelan Head of Housing Tel: 01638 719440 Email: simon.phelan@westsuffolk.gov.uk	
Purpose of report:	To approve the proposed revisions to the Home-Link Lettings Policy.	
Recommendation:	It is <u>RECOMMENDED</u> that the revised Home-Link Lettings Policy, as contained in Appendix A to Report No: CAB/SE/16/008, be approved.	
Key Decision: <i>(Check the appropriate box and delete all those that do not apply.)</i>	<i>Is this a Key Decision and, if so, under which definition?</i> Yes, it is a Key Decision - <input type="checkbox"/> No, it is not a Key Decision - <input checked="" type="checkbox"/>	
Consultation:	Partners within the Cambridge Housing Sub-Region have been consulted and proposed revisions have been agreed by the Home-Link Management Board	
Alternative option(s):	To continue with the current Lettings Policy. This would mean the Council's policy would not be in-line with other councils within the Home-link scheme. The policy would also be out of date and could allow people to access housing who shouldn't due to loopholes not being closed.	

Implications:			
Are there any financial implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> •	
Are there any staffing implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> •	
Are there any ICT implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> •	
Are there any legal and/or policy implications? <i>If yes, please give details</i>		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> The Council is required under the Housing Act 1996 to have a scheme for the allocations of Social Housing that has regard for the Council's Homelessness and Tenancy Strategies. This revised Lettings Policy fulfils that requirement.	
Are there any equality implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Risk/opportunity assessment:		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
Policy not aligned with others in Home-Link.	Medium	Sub-regional consultation and agreement of revisions to policy	Low
Ward(s) affected:		All Wards	
Background papers: <i>(all background papers are to be published on the website and a link included)</i>		None	
Documents attached:		Appendix A: Revised Home-Link Lettings Policy (shown with tracked changes). Appendix B: Home-Link Lettings Policy Summary on consultation Appendix C: Equalities Impact Assessment.	

1. Key issues and reasons for the recommendation

1.1 Background

- 1.1.1 Home-Link is the Choice Based Lettings (CBL) scheme for the Cambridgeshire and West Suffolk Housing sub-region. Introduced in February 2008, the scheme operates across seven local authority areas in the sub-region. Available affordable housing properties are advertised on a regular cycle agreed by the partners. Applicants on the housing register, commonly known as the housing waiting list, are asked to express interest in available properties. The properties are offered to the applicant in the highest need who has been waiting longest in that needs band.
- 1.1.2 Each Local Authority has its own Lettings Policy and is responsible for implementing any changes to that policy. Many elements of the Lettings Policy have been agreed across the sub-region and they cannot be amended without agreement of all local authorities across the sub-region. This includes eligibility criteria, banding structure and assessment of need, local connection criteria, sub-regional allocations, intentionally worsening housing circumstances, registration date and date in band definitions, the shortlisting process.
- 1.1.3 The Home-Link Management Board recognised that the Local Authorities Lettings Policies needed to be updated to include changes in Government policy such as Right to Move regulations. A comprehensive review of the lettings policy was conducted in 2012 to comply with the implementation of Localism Act 2011, as such these proposed changes are generally minor in nature.
- 1.1.4 Home-Link has also undertaken an IT procurement exercise resulting in a change of IT supplier from April 2016. The new IT system will have a minimal impact on service users, however help and support will be available where needed.

1.2 Key changes

- 1.2.1 The proposed changes to the Lettings Policy are set out in the table below. The changes are a mix of future proofing, closing loopholes and clarifying technical points. Partners, Registered Housing Providers and Housing Register applicants within the sub-region have been consulted with (summary of responses attached) and the changes have been approved by the Home-Link Management Board, for consideration and approval by Members in the councils across the sub-region.

Relevant paragraph	Issue and rationale for change
1.2a and through-out the document	To 'future proof' the document the policy will just refer to the Housing Act (1996) as amended and not cite specific Acts such as Homelessness Act 2002 or Localism Act 2011)
2.1.5a	'Future proof' change – removal of reference to the specific Act.
2.1.5b	Qualification is for social housing specifically.
3.1.3 (please also refer 5.4.1)	Flexibility to exclude from the register those who are subject to immigration control, not only as applicants but as household members.
3.3.1h	New wording to take account of the new Right to Move regulations
3.4.1	Closing a loophole to ensure that perpetrators of unacceptable behaviour could not get rehoused simply by nominating another household member as the applicant. Also adding in the provision to bar transfer applicants or previous tenants who have allowed their properties to fall into disrepair.
3.4.3	Closing the loophole as outlined in 3.4.1 above.
4.4.2	Minor wording improvement.
4.6 (b)	Minor wording change to reflect the application of this Banding assessment.
4.8 (b)	Wording required tidying.
4.10.2 (a)	If debts are not legally 'recoverable' or statute barred (i.e. where no correspondence about the debt has occurred in the last 6 years) then the authority cannot take these into account in allocations either.
4.10.2 (b)	Closing another loophole around unacceptable behaviour that is not ASB.
4.10.3	Minor wording change.
4.10.4	See explanation for 4.10.2 (a) above.
4.11.1	Technical legal point. In order to act deliberately improve your housing priority you need first to be aware of what the housing priority system is. The change would take away the implication that the applicant needed to know this before acting. It makes it a more similar principle to intentional homelessness – the applicant does not need to be aware of the legislation to be found Intentionally Homeless.
4.12	New clause – reflecting national guidance on allocating social housing to homeowners.
4.13.1	Minor wording improvement.
4.13.1 (c) & (d)	Need to include rents as well as property prices in the assessment
5.10.1	Emergency housing status to be awarded to those who are terminally ill (as defined) and in band A as they do not have the luxury of time.
5.11.1 (d)	Where applicants are left in tenancies under Use and Occupation and it is felt it is unreasonable to move them e.g. elderly person who has lived in the property with his/her family for many years but has no succession rights.
7.7.1	Address issue of applicants unreasonably refusing offers.