

# Cabinet



**Forest Heath**  
District Council

<b>Title of Report:</b>	<b>Recommendations of the Overview and Scrutiny Committee: 8 March 2018 – Lettings Policy</b>	
<b>Report No:</b>	<b>CAB/FH/18/022</b>	
<b>Report to and date:</b>	<b>Cabinet</b>	3 April 2018
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<b>Chairman of the Committee:</b>	Councillor Simon Cole Chairman of the Overview and Scrutiny Committee <b>Tel:</b> 07974 443762 <b>Email:</b> <a href="mailto:simon.cole@forest-heath.gov.uk">simon.cole@forest-heath.gov.uk</a>	
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<b>Purpose of report:</b>	On 8 March 2018, the Overview and Scrutiny Committee considered Report No: <a href="#">OAS/FH/18/005</a> and <a href="#">Appendix 1</a> , which set out proposed revisions to the Lettings Policy. These revisions were required as a result of recent case law and to ensure that the Lettings Policy is compliant with the requirements of the Homelessness Reduction Act 2017 which comes into force on 3 April 2018.	
<b>Recommendation:</b>	<b>It is <u>RECOMMENDED</u> that the revised Lettings Policy, attached at Appendix 1 to Report No: OAS/FH/18/005, be approved.</b>	
<b>Key Decision:</b>  (Check the appropriate box and delete all those that <b><u>do not</u></b> apply.)	Is this a Key Decision and, if so, under which definition? Yes, it is a Key Decision - <input type="checkbox"/> No, it is not a Key Decision - <input checked="" type="checkbox"/>	

<b>Consultation:</b>	<ul style="list-style-type: none"> <li>See Report No: OAS/FH/18/005</li> </ul>		
<b>Alternative option(s):</b>	<ul style="list-style-type: none"> <li>See Report No: OAS/FH/18/005</li> </ul>		
<b>Implications:</b>			
Are there any <b>financial</b> implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> <li>See Report No: OAS/FH/18/005</li> </ul>	
Are there any <b>staffing</b> implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> <li>See Report No: OAS/FH/18/005</li> </ul>	
Are there any <b>ICT</b> implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> <li>See Report No: OAS/FH/18/005</li> </ul>	
Are there any <b>legal and/or policy</b> implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> <li>See Report No: OAS/FH/18/005</li> </ul>	
Are there any <b>equality</b> implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> <li>See Report No: OAS/FH/18/005</li> </ul>	
<b>Risk/opportunity assessment:</b>		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
<b>Risk area</b>	<b>Inherent level of risk</b> (before controls)	<b>Controls</b>	<b>Residual risk</b> (after controls)
See Report No: OAS/FH/18/005			
<b>Ward(s) affected:</b>		All Wards	
<b>Background papers:</b> <i>(all background papers are to be published on the website and a link included)</i>		None	
<b>Documents attached:</b>		None	

## **1. Key issues and reasons for recommendations**

### **1.1 Key Issues**

- 1.1.1 The Committee received Report No: OAS/FH/18/005, which set out proposed revisions to the Lettings Policy. Revisions were required as a result of recent case law and to ensure that the Lettings Policy was compliant with the requirements of the Homelessness Reduction Act 2017 which comes into force on 3 April 2018.
- 1.1.2 Attached at Appendix 1 to the report was the revised Lettings Policy, which included the proposed changes, and these were also summarised in paragraph 1.1.8 of the covering report, as follows:

<b>Lettings Policy section</b>	<b>Summary of change</b>
1.5 – equal opportunities and diversity	Section updated to refer to Equality Act 2010.
3.4.1 d local connection	Connection to the local area Change of relevant legislation sections applicable.
3.4.1 k special circumstances	This relates to proposed changes to allow applicants in one of the reasonable preference groups, but with none of the local connection reasons listed, to be considered.
4.6 b Current Supported Housing Resident	Proposed change to remove the requirement to demonstrate that an applicant needs to demonstrate that their housing need is for social housing.
4.6 g Homeless Households	Change of relevant legislation sections applicable.
4.7 – Band b – high medical needs	Included a new category for those who are owed a prevention or relief duty. These new duties have been introduced under the Homelessness Reduction Act.
4.7 f Band B Homeless Prevention	Changes to current wording to give preference whilst we look to prevent or relieve homelessness. This will apply to those applicants actively working with us for a period of 56 days.
4.8 – Band c – medium needs	In section D, new criteria introduced to reflect the new prevention and relief duties.

Lettings Policy section	Summary of change
4.8 Other homelessness	<p>Changes to existing wording:</p> <p><b>d) Other homelessness.</b>  Applicants who are homeless or threatened with homelessness and are:</p> <ul style="list-style-type: none"> <li>a) Intentionally homeless.</li> <li>b) Homeless or threatened with homelessness but not in priority need.</li> <li>c) Owed a main homelessness duty by a local authority that is not a partnership organisation in the sub-region.</li> </ul>
5.2	<p>Removing paragraph:  Where a person is threatened with homelessness within a period of more than 28 days, the Council will work with the applicant to try and prevent their homelessness. Those persons, who appear likely to have a priority need in the event of a homelessness application being made, will be placed in Band B whilst the prevention measures are being pursued.</p>
5.10 – Direct Lets	<p>Additional reason added in order to have the option to make a direct let offer to an applicant owed the “relief” duty.</p>
8.2 – Data protection	<p>Remove this if no changes are made.</p>

- 1.1.3 A four week consultation has been carried out with registered providers operating across the sub-region.
- 1.1.4 The Committee considered the revised Lettings Policy and asked a number of questions to which officers provided responses.
- 1.1.5 The Overview and Scrutiny Committee considered the report and has put forward a recommendation as set out on page one of this report.