

Thursday, 14 March 2024

Report of the Portfolio Holder for Housing and Planning**Allocations Policy and Management of the Councils Housing Register****Exempt Information**

None

1.0. Purpose

- 1.1 To update Cabinet on the proposed changes to the Councils Allocations Policy.
- 1.2 To highlight the need for further investigation into the letting of high-rise properties in Council stock.
- 1.3 To set out the arrangements for sheltered accommodation (in the Councils own stock) and its use to be linked to the asset management strategy, ensuring the independent living for older people needing social housing is refreshed and best use of stock is made.

2.0. Recommendations

Cabinet are recommended to: -

- 2.1. Endorse the updated Allocations Policy as shown at Annex 1, which is supported by the policy change table shown at Annex 2. The changes to the policy are highlighted in turquoise and covered in more detail in 3.2 below.
- 2.2. Delegate authority to the Portfolio Holder of Housing & Planning, in consultation with the Assistant Director Neighbourhoods, to agree the statutory consultation on a proposed local lettings policy for high rise properties, with a report back to Cabinet in 2024/2025 on detailed options and proposals.
- 2.3. Approve, as part of the Asset Management Strategy, an assessment of sheltered units in relation to making best use of stock.

3.0. Executive Summary

- 3.1. Under the Social Housing (Regulation) Act 2023 proposed new consumer standards, the Council's Allocation Policy falls under [tenancy and 1.1 of Allocations and Lettings](#). This is to ensure that local authorities have an up-to-date policy and equitable allocation of homes along with Finding a home services continuing to offer access arrangements to allocations. Significant reforms have been introduced giving the Regulator of Social housing powers to hold poorly performing landlords to account. The Department for Levelling

Up, Housing and Communities is currently out for [consultation until 26th March](#) on major reforms to how social housing is allocated “to make the system fairer and not available to those who abuse it”. The new revised policy proposed in this report supports the Council in ensuring the management of the housing register only allocates homes to people who are eligible and who qualify. See Annex 5 for key proposed changes and how the proposed policy aligns.

3.2 The Allocations Policy was last updated and approved [at Full Council](#) on 19th November 2019 with a further routine update in [2021](#).

As part of the Council’s due diligence and commitment to meeting housing needs, an external assessment has informed this latest version. The allocations policy remains under continuous assessment to meet regulation(s), legislation, and good practice, with a full update every 3 years, involving external and independent support. Campbell Tickell Ltd (CT) were commissioned to support the process of reviewing the policy recommended. Their assessment of the current policy is shown in Annex 2, which highlights the key changes in detail for Cabinet. This process informed the revised draft presented to Cabinet in Annex 1.

3.3 A summary of the changes is shown in the table below.

Current Policy	Recommended Changes
The content and accessibility of the current policy is good.	It has been improved further with the introduction of clear sections on regulation and legislation, options for housing in Tamworth, eligibility and qualification, application and assessment, allocations, and lettings and finally a section on decisions, complaints and reviews.
Legislation compliant to 2021.	Further compliance since 2021 has been introduced for Care Act, Human Rights Act, Children and Social Work Act and the Armed Forces Act
	New section on force majeure has been introduced.
	New section on the statement of choice has been introduced.
Armed Forces contains the current covenant and pledge.	This has been strengthened to show the statutory duty the Council must now demonstrate, which still secures a band1+ priority, giving priority to reserve forces as well.
Financial thresholds to qualify for the Housing Register are currently set at single person households £30,000 and family households £60,000.	In line with research demonstrated in the evidence pack in Annex 3, this has been changed to a household income of £70,000 . Anyone over this will not qualify. Savings remains the same at £16,000 after comparisons with other local authorities showed them to be on the same or similar limits. As the Equality impact and access statement shows this to be a positive change (<i>in that it will allow greater access to the Councils register</i>) it does not require statutory consultation. The

	presentation at Annex 3, provided by Campbell Tickell shows detailed modelling in this regard.
Negotiated tenancy surrender (also known as safe surrender agreements) exists for tenants who are facing incarceration or long-term medical care.	This has been strengthened in line with regulatory expectations under the consumer standards, to include tenants whose tenancies are failing, where all tenancies sustainment measures have been exhausted and the tenant is asking for assistance.
One and two bedroom bungalows (non-designated sheltered) currently prioritised for applicants who are 60 and over.	Allocations will be prioritised based on those with assessed medical needs for this particular accommodation first. Where there is nobody with an assessed medical need then, priority is given to those 60 years or above, based on band and band waiting time.
	New section on effective band date giving greater transparency to the assessment process.
Low Social, Welfare and Hardship Grounds	Additions to this band: <ul style="list-style-type: none"> i. Care leaver up to the age of 25, who are still in receipt of support from their personal advisor. ii. Applicants who have a local connection to Tamworth and have been placed out of the area by the authority in-order-to discharge a homelessness duty but would benefit from returning to Tamworth to access wider support networks.
Gypsies and Travellers	Statement that indicates there are no pitches in Tamworth; should this change, the policy will be reviewed.
Choice based lettings	Incorporation of sections previously in an appendix on advertising, bidding, shortlisting, offers and refusals to provide greater visibility of the allocations and lettings process.
	New section on tenancy determination, dovetailing it with the Council's tenancy management policy.
	New section on tenancy sustainment, dovetailing it with the Council's tenancy management policy.
Decisions in various sections of the policy consolidation.	New section on decisions, and what is a complaint, a right of review or a change of circumstance to give greater visibility in the document.

- 3.4 The external assessment has resulted in an evidence pack, shown at Annex 3. Summary headlines are shown below.

Applicants on the Housing Register

In 2019, prior to the policy review, there were 1535 applicants on the Council's Housing Register, this reduced to 449 following the implementation of the new policy and ensured a focused approach to support those in most need.

The table below shows a breakdown by band:

	April 2019	April 2020	April 2021	April 2022	April 2023	February 2024
Band 1+	2	1	1	1	0	0
Band 1	86	65	60	74	60	66
Band 2	321	240	194	226	173	201
Band 3	216	217	143	164	122	120
Band 4	910	891	251	57	46	51
Total	1535	1414	449	522	401	438

The Allocations Policy has successfully supported the Councils ambitions around supporting those with most need and vulnerable to homelessness. This current allocations policy continues to re-enforce this approach.

Applicants by Bed size:

The table below shows a breakdown by bedsize and supports the continued demand for our ½ bedroomed properties. The proposed increase to financial thresholds will mean more applicants can access housing and having a well managed housing register will enable targeted support.

No of Beds	April 2019	April 2020	April 2021	April 2022	April 2023	February 2024
1	917	850	247	258	156	173
2	427	384	88	110	108	113
3	133	115	50	81	84	96
4	43	56	57	63	41	44
5	13	8	7	8	8	10
6	1	1	0	2	4	2
7	1	0	0	0	0	0
Total	1535	1414	449	522	401	438

Lettings (Council Stock)

	2019	2020	2021	2022	2023
General needs	225	185	229	146	149
High Rise	26	18	20	22	25
Sheltered	48	25	38	40	35
Total	299	228	287	208	209

(**2020 is a part year due to covid)

Lettings for both Council stock and RPs continues to be in the region of 300-400 lettings per annum depending on availability of affordable housing. This evidences the need to manage expectations carefully as having in excess of this number of the register would mean applicants wait far longer.

Lettings (Registered Providers)

	2019	2020	2021	2022	2023
Lettings to registered providers	153	141	124	100	139

Average Waiting Times for Council Stock in Month(s) by Band

Band	General Needs		High Rise		Sheltered	
	2019	2023	2019	2023	2019	2023
Band 1+	4	NA*	NA	2	NA	NA
Band 1	5	3	3	2	4	5
Band 2	10	8	9	3	4	7
Band 3	34	7	23	3	12	3
Band 4	64	NA	38	10	16	1

*NA = No Applicants

Average weighting times are clearly caveated as it is over simplistic to rely on this as a guarantee as it is dependent on applicant choice, stock availability and general bidding. Put simply however the lettings results show average weight times have reduced supporting positive impacts forecast when the policy was significantly overhauled in 2019. In general needs cases all banded applicants waiting less time.

The data supports further review of sheltered and high rise as waiting times are almost always due to demand for this type of stock; suggesting local lettings planning and review of stock types linked to the asset management strategy is prudent.

Average Waiting Times for Council stock in Months by Bedroom Need

Bedsize	General Needs		High Rise		Sheltered	
	2019	2023	2019	2023	2019	2023
1 bed	5	5	16	3	6	4
2 bed	6	5	1	3	2	9
3 bed	8	8	NA	NA	NA	NA
4+ bed	15	20	NA	NA	NA	NA

Again, caution is urged as the figures can mask nuances around applicant's decisions about area, stock type, personal preference – often around waiting for council stock rather than preferring to explore private sector rented options. But when benchmarking with other Local Authorities, particularly in London Boroughs who talk about 20-30 year waiting times, Tamworth does have much lower wait times and this is due to robust management of the register which the current policy continues to ensure.

- 3.5 An analysis has informed the allocations review to ensure intelligence led decision making. A review of lettings at the high-rise has shown that officers have exercised their discretion in-order-to maximise lettings. Typically, this is because housing benefit sanctions for under-occupation can result in longer advertising and lettings times.

The scope of the allocations review did not provide for a full assessment of options for high rise lettings, however, one such option may be a local lettings plan to make better use of stock, minimise applicants time on the waiting list and ultimately reducing rent loss. To examine this further it is recommended that local lettings arrangements are reviewed and delegation is sought for the portfolio holder for housing and planning, in consultation with the Assistant Director of Neighbourhoods to agree statutory consultation arrangements on the outcome of these options.

- 3.6 Similar to the high-rise data analysis, lettings across the sheltered stock have shown that bed sit type accommodation is less popular than 1 / 2 beds. This is common across all sheltered schemes as this also requires further exploration. It is recommended that this is linked to the asset management strategy to assess re-design/ re-provision in-order to make best use of the stock. The evidence pack in Annex 3 highlights the performance around the lettings and voids of sheltered stock.

4.0. Resource Implications

- 4.1. There are no direct financial implications arising from implementing changes to the allocations policy. There are associated costs arising from the consultation, but on the basis, costs are likely to be minimised by using digital forms of communications, it is expected these are likely to be 'de minimus'. Costs are likely to be less than £5k and can be met from within existing budgets within the housing solutions-based funding streams.

5.0. Legal/Risk Implications Background

- 5.1. The risks of not having the revised Allocations Policy would adversely impact the management of the housing register.
- 5.2. The headline risks are captured in the table below.

Risk	Mitigation
Non – compliance with the relevant legislation since 2021 when the last allocations policy was approved.	Continuous assessment, with a full update every 3 years, involving external and independent support.
To examine the financial thresholds permitted to allow an applicant to qualify for the housing register.	Annual review of the threshold in line with regulation, legislation and local economic factors.
Equality and fairness of the policy.	Continuous assessment and compliance with the legislation.
Accessibility and transparency of the policy.	Continuous assessment to ensure the policy is documented in clear terms in order to make it customer friendly and easy to administer and the production of an annual lettings plan to demonstrate performance

6.0. Equalities Implications

- 6.1. An Equality Impact and Community Impact Assessment has been undertaken in the production of the revised Allocations Policy attached as Annex 4.
- 6.2. There are no negative impacts demonstrated in the EQIA, the changes to the policy will have a positive impact in the following areas:
- All existing applicants and new applicants will be favourably impacted by the accessibility of the document.
 - Households on low income will benefit from the increased financial threshold.
 - Council tenants who need to be rehoused because all other avenues to sustain the tenancy have been exhausted will benefit.
 - Care leavers will benefit up to the age of 25.
 - Out-of-borough homeless households placements will benefit.

7.0. Environment and Sustainability Implications (including climate change)

- 7.1. There are no implications due to the changes in the Allocations Policy.

8.0. Matters for Consideration

- 8.1. Please see Annex 5 for the current proposed changes to social housing allocations policy by the Department of Levelling up, Housing and Communities.

9.0 Context

The Localism Act, 2011, provides considerable freedoms for Councils in designing and implementing allocations and lettings policies. In refreshing its approach to the management of the Housing Register, the Council has a dual responsibility to not only comply with its strategic housing aims as well as ensure compliance with tenancy standard regulations, monitored by the Social Housing Regulator, given its landlord obligations around the management of its own stock.

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List of Background Papers

None

Appendices

- Annex 1 Full revised Allocations Policy March 2024 with turquoise highlights where the policy has been changed.
- Annex 2 The policy change table which shows the gap analysis undertaken by Campbell Tickell on the current policy, and the ensuing changes agreed with the Council.
- Annex 3 Evidence pack of information and analysis undertaken to support the recommendations to Cabinet.

Annex 4 The Equalities and Communities Impact Assessment.

Annex 5 Proposed changes under the DLUHC consultation.