

## SEVENOAKS DISTRICT HOUSING REGISTER ALLOCATIONS SCHEME

Housing & Health Advisory Committee - 17 January 2022

**Report of:** Deputy Chief Executive and Chief Officer - People and Places

**Status:** For Decision

**Also considered by:**

- Cabinet - 10 February 2022

**Key Decision:** Yes

Significant in terms of its effects on the communities living or working in an area comprising of 2 or more wards in the District.

**Executive Summary:** To present details of the proposed main headline revisions to the new Sevenoaks District Housing Register Allocations Scheme, for consideration and comment. To note that an all-Member consultation is proposed prior to consideration by Cabinet, where Cabinet approval will be sought for a full public consultation.

The scheme will require approval by Full Council so that it may be adopted as Council policy. Following adoption, it will apply to all applicants seeking social housing in the District and the allocation of vacant social housing stock.

A draft timetable is provided showing the possible timeline to Full Council in July 2022.

**This report supports the Key Aim of:**

Caring Communities - to help people live safe, independent and fulfilling lives and meeting the needs of vulnerable and low income households - by helping those in housing need to have fair and proportionate access to suitable homes in the social housing sector.

Sustainable Economies- provide a good mix of decent and affordable housing - by ensuring local people have priority for social housing in the District and awarding high priority to social housing tenants who wish to downsize, thereby freeing up family size housing for others in housing need.

**Portfolio Holder:** Cllr. Kevin Maskell

**Contact Officer:** Sharon Donald, Ext. 7131

**Recommendation to Housing & Health Advisory Committee:**

- (a) To consider the proposed main headline revisions to the new Sevenoaks District Housing Register Allocations Scheme;
- (b) To support the draft Scheme being presented to Cabinet in February 2022, where approval will be sought to undertake full public consultation

**Recommendation to Cabinet:**

- (a) To consider the draft Sevenoaks District Council Housing Register Allocations Scheme;
- (b) To approve any changes to the draft Scheme arising, being incorporated by the Housing Strategy Manager, following consultation with the Portfolio Holder for Housing & Health;
- (c) To approve the draft Scheme being made available for public consultation.

**Reason for recommendation:** To ensure the District Council has a Housing Allocations Scheme that complies with statutory provisions, and which treats all applicants for social housing in a fair and equitable manner.

## Introduction and Background

- 1 S.167 (1) Housing Act 1996 states “Every local housing authority shall have a scheme (their “allocation scheme”) for determining priorities and as to the procedure to be followed, in allocating housing accommodation.
- 2 The current Sevenoaks District Housing Register Allocations Policy directs applications for, and the allocation of, vacant social housing in the District. It applies to approximately 6,500 homes. The Policy is used in conjunction with the local choice based lettings scheme - Kent Homechoice - and is followed by the District Council’s Housing Accommodation Team and our housing provider partners, including Quercus Housing.
- 3 A snapshot of the number of live applications on the housing register on 01 November 2021 show 774 households registered in bands A to D with 310 (40%) assessed as needing a 1 bedroom property and 277 (36%) needing a 2 bedroom property. Demand for larger properties with 3 or more bedrooms is much lower, with 123 (16%) requiring a 3 bedroom home and 64 (8%) requiring 4 or more bedrooms. 22 applications (3%) were assessed as band A priority, with over half of these needing a 3 bedroom property. 350 (45%) applications were assessed as band B priority. 165 (21%) of applications were assessed as having little or no housing need and placed in band D.
- 4 The current Policy was adopted in 2019. The policy is deemed to be in need of review to ensure that we continue to help those in greatest need of housing as well as making best use of the available housing stock within the district. This update will also allow us to adopt best practice.

## Proposed Allocation Scheme

- 5 The new Sevenoaks District Council Housing Register Allocations Scheme has been drafted to ensure that access to social housing supports the needs of residents and the corporate aims of the Council, as well as reflecting current legislation. There is an extremely limited supply of social housing within the Sevenoaks District and this scheme is designed to work with our housing providers to make the best use of the stock available and promote Sevenoaks District as an attractive place to live.
- 6 The draft Scheme is designed to treat all applicants for social housing in a fair and equitable manner. The Allocation Scheme will offer applicants some choice in their accommodation and ability to express preference on their accommodation type and location. This individual choice and preference must be balanced with the needs of all applicants and the need for the Council to offer the best value through its housing services.
- 7 The main proposed changes included in the draft Scheme are:
  - a. Local connection is to be revised and will require 3 years’ continuous residency in the Sevenoaks District immediately prior to the application or 3 years’ continuous employment, with the place of work, rather than the business address, in the Sevenoaks District. The above will ensure those with a genuine and strong connection to the District are best placed to access the very limited social housing

stock. However, local connection will continue to not be deemed to be an overriding factor when it is necessary for an applicant to leave an area, such as in cases of domestic abuse. The proposed local connection criteria is provided at Appendix 1;

- b. Bandings are revised to help alleviate bottlenecks arising from homeless applicants, which is currently creating an increase in Band B category, whilst ensuring the use of nightly paid temporary accommodation is acknowledged under the Scheme and its cost minimised as far as possible. The revised Bandings will also give the highest priority to social housing tenants wishing to downsize and those freeing up fit for purpose wheelchair/adapted homes. Details of proposed Bandings are provided at Appendix 2.
- c. Income caps have been increased to realistic levels and in line with adjacent local authorities. This will eradicate the need for separate and higher income caps applying to Rural Exceptions Housing schemes, ensuring all applicants are dealt with equitably;
- d. As a general rule, only accepting “care giver/receiver” applications from applicants living outside the District, as well as establishing what constitutes an acceptable journey time by public transport for “care” journeys and defining who can be considered a Carer under the scheme by reference to nationally applied benefits. This will greatly assist the Accommodation Team to assess this type of application;
- e. Re-iterating the policy of one offer only for most applicants. This recognises the scarcity of the social housing stock and acknowledges the Scheme is there to address housing need rather than meet housing aspiration;
- f. Establishing a mechanism whereby categories of applicant, e.g. homeless applicants, can obtain exclusive bidding/allocation rights to vacant stock for a set period of time. This can be used to overcome specific and temporary pressures on the housing service.

8 The first draft of the Allocations Scheme is provided at Appendix 4.

### **Timetable to Scheme adoption**

- 9 An all-Member engagement event on the draft Scheme is proposed to place in the period between January’s Housing and Health Advisory Committee and February’s Cabinet meeting.
- 10 The new Scheme will ultimately require approval by Full Council in order to be adopted as Council policy. The draft timetable is:
  - Housing & Health Advisory Committee - 17 January 2022

- All-Member consultation - end of January 2022
- Cabinet - 10 February 2022
- Public consultation - 14 February to 11 March 2022
- Cabinet Briefing - 5 April 2022 (consideration of consultation responses and suggested changes to draft Scheme)
- Housing & Health Advisory Committee - 7 June 2022 (consideration of consultation responses and suggested changes to draft documents)
- Cabinet - 7 July 2022 (finalised Scheme to be considered)
- Full Council - 19 July 2022 (Scheme adoption)

### **Other options Considered and/or rejected**

None. Work done to ensure the development of the Scheme will enable us to avoid costly legal challenges or compensation awards by the Ombudsman, which could significantly exceed that of the proposed expenditure.

### **Key Implications**

#### Financial

For the first 6 months following any homeless applicant's acceptance onto the Housing Register, the new Scheme's revised Bandings will remove any advantage to those in temporary accommodation. The Scheme should therefore indirectly reduce the level of temporary accommodation placements and assist with managing the homelessness budgets. For example, Homeless with no additional needs in nightly paid accommodation = Band C for the first 6 months, thereafter, Band A.

There will be a cost for updating the housing register system as well as possible overtime costs for staff that will be required to update the system. It is anticipated that this can be covered from existing grant funding.

#### Resources (non financial)

The Council operates a 'closed list' housing register and there are qualifying entry requirements in order to be accepted onto the register. In order to be accepted onto the register all applicants must meet the two qualifying criteria; these are local connection and housing need. As the supply of social housing in the district is limited, the Council will concentrate its resources, which includes access to social housing and Housing Accommodation staff resources, on those applicants most likely to receive an offer of accommodation. The new Scheme will assist the Accommodation Team in making and defending decisions, thereby freeing up officer time for other duties.

#### Legal Implications and Risk Assessment Statement

Sevenoaks District Council keeps a housing register of people who want to be considered for social housing. The District Council is required to have a Scheme that complies with the statutory provisions contained in the Housing Act 1996 (as

amended). The current policy has identified deficiencies, which the new Scheme will rectify.

Failure to have a lawful scheme will lead to legal challenges that the authority would not be in a position to defend.

### Equality Assessment

Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to (i) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010, (ii) advance equality of opportunity between people from different groups, and (iii) foster good relations between people from different groups. The decisions recommended through this paper directly impact on end users. The impact has been analysed and varies between groups of people. The results of this analysis are set out in Appendix 3.

### Net Zero Implications

The decisions recommended through this paper have a remote or low relevance to the council's ambition to be Net Zero by 2030. There is no perceived impact regarding either an increase or decrease in carbon emissions in the district, or supporting the resilience of the natural environment.

### Safeguarding Children and Vulnerable Adults.

The new Allocations Scheme will be operated by the Accommodation Team who are fully conversant with our responsibility to safeguard children and vulnerable adults. If the Team has any concerns, the District Council's policy of, "if you see it, say it", will continue to be followed and taken up by a Safeguarding Designated Officer.

### Human Rights

Section 5 of the new Allocations Scheme recognises the needs of those seeking our help due to humanitarian and human rights abuses.

### Wellbeing

The new Allocations Scheme will promote wellbeing by assisting applicants into homes which are best suited to their needs, including homes that are accessible to those with disabilities and housing with support.

### **Conclusions**

The District Council is required to have a Scheme that complies with the statutory provisions contained in the Housing Act 1996 (as amended). The current policy has identified deficiencies, which the new Scheme will rectify.

Member support is therefore sought to progress the new Scheme, including Member and stakeholder consultation, and for the outcome of the consultation to be

brought back to the Housing & Health Advisory Committee and Cabinet for further consideration and Scheme development.

**Appendices**

Appendix 1 - Local Connection Criteria

Appendix 2 - Proposed Bandings A - D

Appendix 3 - Equality Impact Assessment (EqIA)

Appendix 4 - Draft Sevenoaks District Housing Register Allocations Scheme

**Background Papers**

None

**Sarah Robson**

**Deputy Chief Executive and Chief Officer - People and Places**