



ST HELENS
BOROUGH COUNCIL

Cabinet

14 July 2021

Report Title:	Housing Allocations Policy – Consultation Draft
Cabinet Portfolio	Safer, Stronger Communities
Cabinet Member	Councillor Jeanie Bell
Exempt Report	No
Reason for Exemption	N/A
Key Decision	Yes
Public Notice issued	General Exception Notice
Wards Affected	All
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Borough Priorities	Ensure children and young people have a positive start in life	x
	Promote good health, independence, and care across our communities	x
	Create safe and strong communities and neighbourhoods for all	x
	Support a strong, thriving, inclusive and well-connected local economy	
	Create green and vibrant places that reflect our heritage and culture	
	Be a responsible Council	x

1. Summary

- 1.1 This report presents to Cabinet the draft Housing Allocations Policy which establishes a revised framework for the allocation of social housing in the borough. The report requests approval to consult with residents, partners and stakeholders on this document before the presentation of a final Policy in November 2021.

2. Recommendations for Decision

Cabinet is recommended to:

- i) Approve the draft Housing Allocations Policy, attached at Appendix 1;
- ii) Approve a period of consultation with residents, partners and stakeholders in the borough on the proposed Housing Allocations Policy;
- iii) Receive an update on the consultation feedback received and a final draft Allocations Policy in October 2021.

3. Purpose of this Report

- 3.1 This report presents to Cabinet a draft Housing Allocations Policy and seeks approval to commence consultation with a 13 week period to seek the views of residents and stakeholders on the draft Policy.

4. Background /Reasons for the recommendations

- 4.1 Since the transfer of the housing stock to the then Helena Homes in 2001, the Council is no longer a landlord of social housing. However, despite its status as a non-stock holding authority, the Council maintains statutory duties in respect of the allocation of social housing.
- 4.2 During 2019 an independent review was commissioned by Liverpool City Region Housing Officers Group and concluded with several recommendations to improve how social housing is

allocated across the city region. The main recommendation of the review was to revise the current rules for allocating social rented housing, to make them fully compatible with the law and accord with nationally recognised best practice.

- 4.3 In St Helens, UnderOneRoof, delivered for St Helens Council by Torus, is the name of the allocations scheme that administers the letting of social rented properties. This letting process is governed by an overarching Housing Allocations Policy adopted in 2016.
- 4.4 Demand for social housing in the borough is high, there are 980 lettings undertaken per annum which is much less than the current demand levels. The table below demonstrates the current numbers of applicants in the scheme (based on May 2021 data) – with Band A applicant being those with the highest recognised level of needs. Band A* and B* applicants reflect those who are awarded additional priority to reflect changes made to meet the requirements of the Homelessness Reduction Act 2018.

St Helens Applications	No. of applicants
Band A	247
Band A*	9
Band B	1299
Band B*	67
Band C	2513
Band D	4217
Total	8352

- 4.5 There are over 8300 applicants and many more people within each household currently waiting for an offer of accommodation. This number far exceeds the number of properties that become available each year, it is therefore essential that the system to manage the allocations of social housing is effective, reflects statutory requirements and local circumstances. However, it should be noted that many people registered on the waiting list are unlikely to be able to secure accommodation through this route and therefore the system must look to help those in most housing need.

Housing Allocations Policy

- 4.6 The Council is required to allocate social rented housing in accordance with statute, statutory guidance, regulations and orders. This includes specific guidance on how applications must be managed, decision making, conducting reviews and allocations.
- 4.7 The Draft Policy sets out the principles for the allocation of social housing in the borough. The Policy also sets out how information will be provided to residents in the borough and the information that will be made available to prospective applicants. The Policy in Section 2 also outlines how applications will be processed, the requirements on applicants during this process and how appeals and reviews will be managed if applicants are not satisfied with the processes outlined.

Eligibility and Qualifying Persons

- 4.8 Eligibility for social housing is determined by law and is set out in Section 3 of the draft Policy. This is an aspect of the document that will need to be revisited following any changes to statute to ensure legal compliance. The Policy outlines that there are specific circumstances in

which applicants will not be permitted to join the Scheme, including applicants who have conducted behaviour previously that would make them unsuitable to be a tenant (Policy Section 3.2.4) or previous conduct in a tenancy (Policy Section 3.2.6). The approach taken to applicants with previous arrears owed is considered in Policy Section 3.2.5, with a focus on the efforts that an applicant has made to repay the debt and also including consideration as to the circumstances in which debt has arisen.

Local Connection

- 4.9 As outlined within this report, there is a greater demand than availability of social housing in the borough, in order to ensure that the Policy enables local housing needs to be met, it is proposed that applicants who cannot demonstrate two years connection to the borough, with the list of qualifying circumstances set out in the Policy, are not permitted to join the Scheme as applicants. This would not apply to those applicants who are awarded a reasonable or additional preference as the urgent housing need is recognised in these circumstances. This local connection criteria would not apply to Armed Forces personnel or to victim and survivors of domestic abuse.

Reasonable and Additional Priority Groups

- 4.10 The legislation specifies that some groups must be given a reasonable priority for an allocation, this includes; people who are homeless, owed a homelessness duty, occupying unsatisfactory accommodation, need to move on medical or welfare grounds, or need to move to avoid hardship. Section 4 of the Policy sets out the approach to be taken in relation to the prioritisation of applicants based on their housing circumstances. A summary of the proposed Banding Criteria is also contained within Appendix 2 of the Policy.
- 4.11 Whilst the Policy retains a focus on ensuring applicants have choice in selecting ('bidding') for properties, there is a need to ensure throughput for applicants deemed to be in urgent housing need, for this reason the Policy sets out in Section 5 how applicants who make repeated refusals of offers, or fail to engage with the bidding process would be 'demoted' to Band D.

Proposed Consultation

- 4.12 The Housing Act 1996 s166(A) and subsequent Statutory Guidance advised that "before adopting an allocation scheme, or making an alteration to a scheme reflecting a major change of policy, a local housing authority in England must (a) send a copy of the draft scheme, or proposed alteration, to every private registered provider of social housing and registered social landlord with which they have nomination arrangements and (b) afford those persons a reasonable opportunity to comment on the proposals. Guidance also advised that applicants who may be impacted by the changes should also be offered the opportunity to comment on the proposed amendments to the Scheme.
- 4.13 If approved by Cabinet, the revised draft Allocations Policy will be made available to all existing applicants via the UnderOneRoof website alongside a dedicated email address in which applicants can send comments or queries. As applicants will be using this site to access information about the available properties; this will be an effective and efficient mechanism to engage existing applicants. In relation to prospective applicants, the draft Policy will also be held on the Council website for the 13-week period with supporting social media communications to encourage engagement and comment. The consultation process will accord with the Council's emerging Engagement Strategy.

4.14 Initial consultation has taken place with Elected Members via briefings held in May 2021 and Registered Providers have also been engaged via the consultant who completed the Review prior to the drafting of this Policy. The draft Policy will be sent to all stakeholders including housing providers, specialist agencies who support applicants and statutory partners via existing fora and networks. This will ensure that the final draft, scheduled to be presented to Cabinet in October 2021, will be informed by the views across the housing partnership in the borough.

5. Community Impact Assessment

5.1 A Community Impact Assessment has been completed and is available on request. This assessment will be revised to reflect feedback during the consultation process.

6 Consideration of Alternatives

6.1 The recommendations of the Independent Review and legislative changes mean that change to the existing policy adopted in 2016 are necessary. There is a need to ensure the revised policy accords Statutory Guidance, and that it remains fit for purpose to meet the changing housing needs of the borough and is a legally compliant document.

7 Conclusions

7.1 This report presents an overview of the proposed Housing Allocations Policy. Whilst some aspects of the framework are legally fixed and defined in Statutory Guidance, the scope for local decision making is available to ensure that the Policy meets local housing needs. In doing so, this report seeks permission to ensure that all stakeholders - from individuals and families seeking accommodation to the largest Registered Providers in the borough, are enabled to review, input and shape the final Policy that will be presented to Cabinet for approval in Autumn 2021.

8. Implications

8.1 Legal Implications

8.1.1 The Council is required under Part 4 Housing Act 1996 to have an Allocation Policy for determining priorities, and a procedure that is to be followed in allocating housing accommodation. The Council has a statutory duty to review its Allocations Policy in line with policy guidance, and to consult on any changes that it proposes to make to this scheme.

8.2 Community Impact Assessment (CIA) Implications

8.2.1 Social Value

The Policy is a mechanism to meet local housing needs in addition it recognises the needs of applicants who seek to move home to enable access to employment

8.2.2 Sustainability and Environment

The adoption of this policy will ensure the most efficient use of the Borough's social housing stock.

8.2.3 Health and Wellbeing

The Allocations Policy recognises that some applicants will need to receive additional preference due to health reasons, including enabling discharge from hospital, to assist those

who need support due to a terminal or life-threatening illness or for residents who need to deliver or receive care.

8.2.4 Equality and Human Rights

When allocating social rented housing, the Council must avoid discriminating against any person and ensure it enhances equality of opportunity for all. The best interests of children must also be taken account when social rented housing is allocated.

8.3 Customers and Resident

The views and opinions of customers and residents is an important aspect of ensuring the policy is easily understood and meets local need, for this reason and the draft Allocations Policy will be open to consultation to all current people on the waiting list and to all residents of the borough.

8.4 Asset and Property

This Policy relates to the allocation of properties within the ownership and management of Registered Providers therefore there are no direct asset or property issues for the council.

8.5 Staffing and Human Resource

There are no direct staffing or human resources implications emerging from this report.

8.6 Risks

With the current levels of demand for housing set against the annual availability of properties, there is a need for this mechanism to prioritise those in the greatest need. The draft Policy has been developed to ensure that it is legally compliant and reflects the needs and circumstances of people that are considered to require additional preference.

8.7 Finance

There are no direct financial implications emerging from this report.

8.8 Policy Framework Implications

- 8.8.1 The Housing Allocations Policy is a core supporting document to the St Helens Borough Strategy and supports the strategic priority of 'Creating Safe and Strong Communities and Neighbourhoods for All.' The delivery of this Policy also supports the emerging Housing Strategy and the adopted Homelessness Strategy in preventing homelessness and assisting residents who are homeless in securing accommodation.

9. Background papers

- 9.1 No background documents.

10. Appendices

- 10.1 Appendix 1 – St Helens Council Housing Allocations Policy