

## DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	ENVIRONMENT, HEALTH AND HOUSING COMMITTEE	7 NOVEMBER 2017	4
<b>MY HOME CHOICE FYLDE COAST - CONSULTATION ON CHANGES TO THE ALLOCATIONS POLICY</b>			

### PUBLIC ITEM

This item is for consideration in the public part of the meeting.

### SUMMARY

MyHomeChoice Fylde Coast is the Choice Based Lettings (CBL) across the Fylde Coast authorities of Blackpool, Fylde and Wyre. It provides a framework for allocating social rented properties owned by housing associations and councils to potential tenants in housing need.

This report details a review that has been undertaken of the current Consistent Assessment Policy (Allocations Policy) for the CBL scheme, the reasons for this and a consultation exercise underway to gather views on the proposed changes. The last such review and consultation exercise was undertaken in 2013 following the introduction of the Localism Act 2011.

The report details Fylde Council's strategic housing role to assess, plan and meet housing needs across all tenures in the borough and how the MyHomeChoice Fylde Coast CBL Scheme assists with this role.

### RECOMMENDATIONS

1. Note the contents of the report on the Consultation related to proposed changes to the Consistent Assessment Policy (Allocations Policy) for MyHomeChoice Fylde Coast.
2. The Chair and Vice Chair of this Committee establish a working group with the Housing Services Manager to submit a formal consultation response and any other members of the Committee.
3. Individual Councillors are requested to provide responses to the Consultation by the end of November 2017, should they wish to prior to the working group.
4. The Fylde Coast Housing Providers group to consider all responses received from across the Fylde Coast and provide a revised Consistent Assessment Policy for MyHomeChoice Fylde Coast for further consideration and approval by this Committee.

### SUMMARY OF PREVIOUS DECISIONS

#### Cabinet - 18th November 2009

1. To commit to the detailed development of the CBL scheme based on the principles outlined in this report.
2. To approve the apportionment of costs, with FBC's costs to be funded by virement from within existing budgetary provision
3. To support consultation on the adoption of a new allocation scheme for Fylde borough that will comprise

a borough-specific lettings plan and a Fylde Coast Consistent Assessment Policy as outlined in Appendix 1 of the report.

4. To ensure that the final CBL system and associated allocation scheme is presented to a future meeting of Cabinet for approval prior to its introduction.

#### Cabinet - 16<sup>th</sup> February 2011

1. To recommend approval of a new Allocation Scheme for the Council which will set out who will get priority in the letting of affordable housing in the Borough. The Allocation Scheme to comprise a borough-specific Area Lettings Plan and a Fylde Coast Consistent Assessment Policy.
2. To recommend approval of the process to establish a Partnership Agreement that sets out the responsibilities of the nine partners in establishing and operating a proposed new Fylde Coast CBL system.
3. To recommend that project costs should be approved and that the council should enter into a contract with an IT provider for the new CBL system that will be operated by the principal social housing providers across Fylde, Blackpool and Wyre.

Policy Development Scrutiny Committee in 2013 considered changes as a result of the introduction of the Localism Act 2011 and consultation responses as follows:

#### Policy Development Scrutiny Committee - 10<sup>th</sup> January 2013

1. To note the review of the allocation policy and to welcome the report of the consultation responses to a future meeting
2. To recommend that the Council approves the draft Fylde Coast Tenancy Strategy
3. To note the new power in the Localism Act 2011 that enables Local Authorities to discharge their homelessness duty using the private rented sector

#### Policy Development Scrutiny Committee - 23<sup>rd</sup> May 2013

1. The consultation results be noted
2. To recommend that Cabinet adopt the draft Housing Allocation Policy
3. To recommend that Cabinet approve the Fylde Coast Tenancy Strategy

#### Cabinet - 26<sup>th</sup> June 2013

Resolved to approve the recommendations made by the Policy Scrutiny Committee 23<sup>rd</sup> May 2013.

1. The consultation results be noted
2. To recommend that Cabinet adopt the draft Housing Allocation Policy
3. To recommend that Cabinet approve the Fylde Coast Tenancy Strategy

### CORPORATE PRIORITIES

Spending your money in the most efficient way to achieve excellent services ( <b>Value for Money</b> )	√
Delivering the services that customers expect of an excellent council ( <b>Clean and Green</b> )	√
Working with all partners ( <b>Vibrant Economy</b> )	√
To make sure Fylde continues to be one of the most desirable places to live ( <b>A Great Place to Live</b> )	
Promoting Fylde as a great destination to visit ( <b>A Great Place to Visit</b> )	

## REPORT

### Background

1. The Housing Act 1996 required every local housing authority to have an allocation scheme for allocating housing. This requirement has been retained in subsequent legislation (Housing Act 2002 and Localism Act 2011). The allocations scheme sets out who will receive priority in the allocation of affordable housing in the borough. Across the Fylde Coast Choice Based Letting system, this is the Consistent Assessment Policy. Fylde BC, in partnership with our neighbouring authorities and social landlords, determines to whom social housing is let within the borough, and there is a consistency and transparency across the Fylde Coast in how applicants for social housing have their needs assessed.
2. In 2008 the Department for Communities and Local Government (CLG) provided £100,000 funding to assist with the implementation of a sub-regional Choice Based Lettings (CBL) scheme across the Fylde Coast. At that time Fylde BC did not hold a housing waiting list, other than for households accepted as homeless, and did not allocate directly to the social housing stock in the borough.
3. In November 2009 Cabinet resolved to commit to the detailed development of the CBL scheme and support consultation on the adoption of a new allocation scheme that comprised of a borough specific lettings plan and a Fylde Coast Consistent Assessment Policy for an allocations scheme.
4. In February 2011 Cabinet approved the adoption of the new Allocation Scheme across the borough and a Partnership Agreement be entered into. MyHomeChoice Fylde Coast was launched in May 2012.
5. In 2013 the allocation policy was reviewed following the introduction of the Localism Act (November 2011) and newly revised allocations guidelines which were revised as a consequence of the Localism Act, 'Allocation of Accommodation; Guidance for housing authorities in England (June 2012)'. A consultation exercise was undertaken and the key changes were around:
  - 1 Local connection- Applicants will need to have lived in the area for at least 3 years and applicants with no local connection to Fylde, Blackpool or Wyre will be excluded from the housing register;
  - 2 Members of the Armed Forces – Current or former members of the armed forces and their families with a local connection will be placed in Band B. Current and former aArmed forces and their families with no local connection will be placed in Band F. It is a legal requirement that current or former members of the armed forces can still go on the housing register even if they have no local connection.
  - 3 Under occupation of social housing – Department for Work and Pensions (DWP) definition of under occupation will be used which says that in regards to the allocation of housing children under 10 should be required to share a bedroom irrespective of their sex and that children of the same sex between the ages of 10-16 should share a bedroom.
  - 4 Suspension and exclusion arrangements – Suspensions for anti-social behaviour from the Housing Register will be for at least one year. Where an applicant or member of their household has been evicted from any tenancy for anti-social behaviour they will be excluded from the Housing Register for a period of 5 years.
  - 5 Existing tenants wishing to transfer – Households will not be accepted on the Housing Register until after the first 12 months of a tenancy.
  - 6 Income and savings - Households with a gross income of £60,000 or more were to be excluded from the list and/or households with savings of over £30,000.
6. The three local authorities of Blackpool, Fylde and Wyre are each required by the Localism Act 2011 to produce a Tenancy Strategy that provides guidance to Registered Providers operating within their area on how they should use their new powers, namely the use of fixed term tenancies, preferred length of tenancies and guidance on the issue of affordable rents.
7. The revised Housing Allocation Policy for MyHomeChoice Fylde Coast (Consistent Assessment Policy) and Fylde Coast Tenancy Strategy were approved by Cabinet on the 26<sup>th</sup> June 2013.

## **Council's strategic housing role**

8. Fylde BC does not own or manage social housing stock, however the local authority still has a role to assess and plan for housing needs across all tenures, make best use of existing stock to meet need, and to plan and facilitate new housing supply to meet identified need. The local authority also has a role to improve access to social housing, for all households, and this is achieved through a single application process.
9. In order to undertake this role effectively, robust up to date information on housing need is required. The Choice Based Lettings system, MyHomeChoice Fylde Coast assists Fylde BC in understanding and monitoring whether allocations are being made in accordance with the priorities set in the Consistent Assessment Policy and informs the development of affordable housing within the borough.
10. **Appendix 1 provides an analysis of applicants registered for rehousing on MyHomeChoice Fylde Coast for the purposes of this report.**
11. There are clear management arrangements in place for the CBL scheme across the Fylde Coast. The Fylde Coast Housing Providers Group meets quarterly and has overall responsibility for the control of the Project, overseeing the administration of the Project including approval of relevant expenditure, achieving best value for money, ensuring the Consistent Assessment Policy meets legislative requirements and all Parties use it and agreeing any changes to the scope of the Project. Meetings require a quorum of 2 Local Authorities and 3 Registered Housing Providers before a meeting can take place.
12. The Fylde Coast Housing Providers Group is attended by Senior Strategic Staff within each partner organisation. The current partnership includes each of the three local authorities in the Fylde Coast, Blackpool, Fylde and Wyre and seven Registered Providers that own and manage stock across the Fylde Coast – Blackpool Coastal Housing Ltd, Progress Housing Group Ltd, Regenda Group, Great Places Housing Group, Muir Group, Places for People and ForHousing (ForViva Housing Association).
13. My Home Choice Steering Group meets quarterly following the Fylde Coast Housing Providers Group and is accountable to that group in delivery of the practical activities needed to ensure effective operation of the scheme. The Steering Group consists of operational staff that allocate vacant properties via MyHomeChoice Fylde Coast.
14. Operating a successful CBL scheme requires partnership working and Partnership Agreement in place that sets out the responsibilities of each of the nine partner organisations in implementing and running the CBL scheme. The current partnership agreement ended in 2015 and at that time there was an opportunity to undertake a review of how the current system was operating. It is necessary to have a partnership agreement in place before a contract can be signed with the company who will provide the IT system that will operate the CBL scheme.

## **Reasons for a review of the current Consistent Assessment Policy**

15. The My Home Choice system and lettings arrangements need to enable providers to find tenants for properties promptly and avoid unacceptably high re-letting times. It was felt there needs to be a more flexible commercial approach to the allocation of properties to attract more households who would not necessarily have thought they would be eligible for social housing.
16. Concerns were raised by the My Home Choice Steering about the number of properties that are currently proving difficult to let, which has been exacerbated by the introduction of the Spare Room Subsidy for Housing Benefit purposes from April 2013.
17. There was concern that the Consistent Assessment Policy and some Area Lettings Policies may have exacerbated the situation, especially through the exclusion of people from the Housing Register with no local connection to one borough, for a continuous period of residency for 3 years. For example a household may have lived in Fylde for two years and Blackpool for one year, under the current Policy they do not have a local connection to either Authority.
18. There are sometimes delays in processing of applications as all applicants have to go through a full registration process despite the reality that there are more applicants than homes each year and many households who register would be placed in Band F.
19. Many applicants who have gone through the full registration process do not bid regularly for available properties or find a home in the private rented sector. There is a need for the system to adopt a more

commercial approach. Appendix 1, Table 8 details the number of applicants bidding on a monthly basis which in Qtr 1 2017/18 was, 125 which equates to 10% of all registered applicants.

### Gathering the evidence

20. A Pilot was ran between 1<sup>st</sup> July to 31<sup>st</sup> December 2015 where 10-25% of lettings were completed outside of MyHomeChoice for historically hard to let properties and the local connection policies were still applied. Methods used included Rightmove, McDonalds, Moving Soon and registered providers' own websites. Registered providers reported they were attracting households who would not have traditionally registered for social landlord stock who were in housing need and the Fylde Coast Housing Providers group concluded the ability to advertise properties outside of the CBL scheme allowed for greater flexibility when allocating properties to applicants.
21. A review was undertaken of CBL systems registered providers were also partners of and a system in Oldham, First Choice. First Choice operates a single point of application stage where applicants are slotted into those in housing need, and those not in housing need. Essentially the system is a housing need centered approach, running alongside a first come, first served approach.

### Proposed changes

**Appendix 2 contains the draft revised Consistent Assessment Policy for consultation.**

#### 22. Two ways of letting homes

(Page 7 – Appendix 2 Draft Revised Consistent Assessment Policy).

- 1 Eligible applicants who have a statutory housing need complete a full application and are placed on a Housing Needs Register in the MyHomeChoice system with a priority band.
  - 2 Eligible applicants who do not have a statutory housing need complete basic details on the MyHomeChoice system and are registered without a priority band.
23. The new system will offer at least 50% of homes, including those in the shortest supply, such as 4+ bedrooms, extra care stock and adapted stock will always be reserved only for people in Bands A-C; each of these homes will be offered to the 'bidder' with the highest priority. Properties will be advertised for a 5 days cycle.
  24. The rest of the homes will be available to everyone on the list and offered on a first come first served basis. This will include households in housing need. This is designed to ensure that people in the greatest housing need still have access to the most homes, while offering opportunities to everyone who needs to move quickly to find a suitable home as soon as it is available. Properties will be advertised for a minimum of 1 to 2 days and Applicants expressing an interest in these properties will be short listed in order of when their bid was placed, with the preference given to the earliest bids.
  25. Appendix 1, Table 9 details the number of properties let per band from Qtr 1 2015/16. Of the total properties let, 997, 55% were allocated to households with a priority banding, 17% to households in employment and 28% to households in Band F which defines no priority need for rehousing.
  26. **Some homes will be offered with priority to people in paid of voluntary work** (Page 8). The CBL scheme wants to encourage people in work to access social housing, and proposes that 20% of homes available on the first come first served basis will be offered with priority to people in paid or voluntary work.
  27. Appendix 1, Table 3 details banding breakdown for active households able to bid on the housing register. 21% of these households are in paid employment or voluntary work. Table 9 details that 17% of households in paid employment or voluntary work since 2015/16 have been allocated accommodation with a priority Band E.
  28. **Applicants wishing to Transfer with no housing need will be ineligible from joining the housing register.** (Page 8). The current policy allows applicants to transfer their tenancy between Registered Providers if they have been a tenant for 12 months. The CBL scheme wants to prioritise new applicants who are not already housing in social housing. Existing tenants **who do** have a good reason to move because their situation has changed will still be given a priority band and be able to use the system to find a new home.
  29. Appendix 1, Table 1 provides an analysis of active applicants able to bid on the Housing Register. Of these 22% are transfer applicants who currently have a social housing tenancy.

30. **One local connection to the Fylde Coast** (Page 9). In order to join the register local residents who have moved between the three Fylde Coast boroughs will now be able to get onto the housing register when previously they may not have met the local connection requirement. Priority will still be given to Blackpool residents for Blackpool homes, Fylde residents for Fylde homes, and Wyre residents for Wyre homes.

**For priority when bidding, there are 3 levels:**

- 1 Connection to the individual borough
  - 2 Connection to the Fylde Coast
  - 3 No connection to either of the above (Armed Forces only)
31. Partner organisations may also define particular requirements for local connection when setting the eligibility criteria – for example, the requirement to be resident in a particular parish, settlement or borough, and may be subject to a condition of a Section 106 agreement.
32. **Pre-tenancy Checks** (Page 13) may be undertaken by individual landlords once an offer of accommodation is made via the first come first served route. This will include verification of identify, current circumstances and housing conditions. Evidence of anti-social behaviour, outstanding housing debts and police checks where applicants have indicated an ‘unspent’ conviction. Landlord references (current/previous) will be sought where the applicant has held a private or social housing tenancy.
33. **Three Priority Bands** (Page 14). The CBL scheme are proposing to simplify the priority bands for people with a legally defined housing need so that there are only three bands, with the current bands C and D now becoming a single band C. There will be no bands given to anyone else, making the application simpler, while still allowing everyone to bid on a first come first served basis. The current system has Band E and F. Band E is for households who are working or contributing to the community and Band F is for households who have a local connection but are adequately housed and in no housing need.
34. Appendix 1, Table 4 details the breakdown on banding for active households currently on the Housing Register. In Qtr 1 2017/17 there were 1316 households. Of these 1% are in priority band A, 11% in priority band B and 16% in Priority Bands C and D. 21% of households are in priority band E due to employment or voluntary work and 51% are in Band F which denotes adequately housed.
35. **Partners still have the discretion to apply local lettings policies** (Page 21) where there are specific issues as they can assist in the management of existing stock and where there are planning restrictions such as S106 agreements.
36. **More flexibility to get a home with an extra bedroom** (Page 21). The numbers of bedrooms for which applicants are normally eligible for is determined by the size of the household and in line with DWP regulations and the current policy allows applicants to only express an interest in a home that meets their household’s minimum needs. The new policy allows households, as long as the rent is affordable, to be able to bid for homes through the first come first served route, that gives more space.

**The consultation process**

37. A consultation on the proposed changes will be underway between November and December 2017. Consultation will be carried out with anyone who lives or works in the Blackpool, Fylde or Wyre areas with an interest in the CBL system and any organisations or professionals with an interest in this issue.
38. Appendix 4 contains the draft leaflet for consultation with questions and Appendix 5 the draft consultation plan.
39. The intention is to approach as many households and agencies as possible who would have an interest in how social housing tenancies are allocated across the Fylde Coast. This will include all applicants currently registered on the Housing Register.
40. Methods of consultation include:
- 1 Letter and/or email with a doc link to electronic version on Fylde BC and MyHomeChoice Fylde Coast website of the document and questionnaire detailing the proposed changes.
  - 2 Proposed changes to be taken to the Members of the three local authorities.
  - 3 Hard copies of the leaflet and questionnaire to be available from customer service counters on request at each local authority and housing association offices.

41. The Fylde Coast Housing Providers group will consider all responses received from across the Fylde Coast and provide a revised Consistent Assessment Policy for MyHomeChoice Fylde Coast for further consideration and approval.
42. The revised Consistent Assessment Policy will be subject to an Equality Impact Assessment to ensure the policy meets the council's duties under the Equality Act 2010.

IMPLICATIONS	
Finance	There are no financial implications arising directly from this report
Legal	None
Community Safety	None
Human Rights and Equalities	None
Sustainability and Environmental Impact	None
Health & Safety and Risk Management	None

LEAD AUTHOR	CONTACT DETAILS	DATE
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BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Fylde Coast Local Authorities Tenancy Strategy	April 2013	<a href="https://www.blackpool.gov.uk/Your-Council/The-Council/Documents/Fylde%20Coast%20Tenancy%20Strategy%20Final%20April13.pdf">https://www.blackpool.gov.uk/Your-Council/The-Council/Documents/Fylde%20Coast%20Tenancy%20Strategy%20Final%20April13.pdf</a> ouncil office or web address
My Guide to Applying for a Home	2011	<a href="https://www.myhomechoicefyldecoast.co.uk/NovaWeb/Infrastructure/ViewLibraryDocument.aspx?ObjectID=306">https://www.myhomechoicefyldecoast.co.uk/NovaWeb/Infrastructure/ViewLibraryDocument.aspx?ObjectID=306</a>
Consistent Assessment Policy MHC	2011	<a href="https://www.myhomechoicefyldecoast.co.uk/Data/ASPPages/1/176.aspx">https://www.myhomechoicefyldecoast.co.uk/Data/ASPPages/1/176.aspx</a>

#### Attached documents

Appendix 1 – Analysis of MyHomeChoice Fylde Coast to inform proposed consultation on changes to the Consistent Assessment Policy (Allocations Policy)

Appendix 2 – Draft Revised Consistent Assessment Policy for the MyHomeChoice Fylde Coast Scheme – October 2017

Appendix 3 – Fylde BC Area Lettings Plan 2017

Appendix 4 - Draft leaflet for consultation with questions

Appendix 5 - Draft consultation plan.