

<b>SUBJECT:</b>	Bucks Home Choice - Revisions of Allocations Policy
<b>RELEVANT MEMBER:</b>	Councillor L Walsh, Portfolio Holder for Healthy Communities
<b>RESPONSIBLE OFFICER</b>	Head of Healthy Communities – Martin Holt
<b>REPORT AUTHOR</b>	Housing Manager – Michael Veryard
<b>WARD/S AFFECTED</b>	All Wards

## 1. Purpose of Report

The report seeks authority to adopt and implement the revised Bucks Home Choice Allocations Policy following consideration by the Healthy Communities Policy Advisory Group, the Services Overview Committee and the Cabinet.

### RECOMMENDATIONS TO COUNCIL

- 1. That full Council approves the revised Bucks Home Choice Allocations Policy**
- 2. That the Head of Healthy Communities be delegated authority to make any final amendments and to agree and adopt the final version of the revised Bucks Home Choice Allocations Policy in consultation with the Healthy Communities Portfolio Holder and subject to Aylesbury Vale, South Bucks and Wycombe District Councils also adopting the revised policy.**

## 2. Executive Summary

- 2.1 Following a report to Cabinet in October 2018 a consultation exercise has now taken place on the proposed revisions to the Bucks Homes Choice Allocations Policy.
- 2.2 The majority of respondents to the consultation were in favour of the proposed revisions with the exception of the proposal that same sex siblings should be expected to share a bedroom until the older child reaches the age of 21.
- 2.3 A final draft of the proposed revised Bucks Home Choice Allocations Policy has now been prepared with minimal changes to the version that was previously reported to Members and issued for consultation. The four District Councils (Aylesbury Vale DC, Chiltern DC, South Bucks DC and Wycombe DC) are now seeking to adopt and implement this revised policy.

## 3. Reasons for Recommendations

- 3.1 To secure the approval and adoption of the revised Bucks Home Choice Allocations Policy.

#### 4. Content of Report

4.1 Bucks Home Choice is the choice based lettings scheme that is operated jointly by Aylesbury Vale, Chiltern, South Bucks and Wycombe District Councils for the allocation of social housing tenancies. Under the scheme, the Councils operate a common allocations policy for:

- assessing who qualifies for Bucks Home Choice,
- prioritising applicants based on their housing needs (using four priority bands ranging from A to D) and
- allocating vacant social housing tenancies.

The Councils also share a common database and IT system for recording applications, advertising tenancies and making allocations. However, within this common allocation policy and database each Council still operates its own housing register (i.e. Chiltern District Council operates its own housing register for applicants who qualify to be re-housed in Chiltern)

4.2 On 16<sup>th</sup> October 2018, Cabinet received a report on proposed revisions to the Bucks Home Choice Allocations Policy. These revisions were being proposed in response to new national legislation and guidance, court judgements, ombudsman decisions and the experience of the four District Councils in managing the allocations process. Members were advised of the main revisions and changes that were being brought forward and were given an opportunity to comment on the draft revised policy ahead of the formal consultation.

4.3 The consultation subsequently commenced on 19<sup>th</sup> November 2018 and closed on 7<sup>th</sup> January 2019. A total of 308 responses were received. The majority of those who responded were in favour of the proposed changes that were being put forward with the exception of the proposal that children of the same sex should be expected to share a bedroom up the age of 21 years (compared to 16 years in the current policy). The key findings from the responses were:

- 76% agreed that someone with sufficient resources or who owns a property (or have purchased social housing in the past under the Right to Buy or Right to Acquire) should not qualify for Bucks Home Choice
- 71% agreed that someone who has sold a property within the last 5 years (with no regard for sourcing alternative accommodation from the proceeds of sale) should not qualify for Bucks Home Choice
- 59% agreed that applicants over the age of 55 seeking age-restricted accommodation should not qualify for Bucks Home Choice if they currently own or have an interest in a home and/or have assets, savings or income to secure their own accommodation:
- 75% agreed that someone who had previously broken the terms of their tenancy and/or whose household includes someone who is subject to any anti-social behaviour action or order should not qualify for Bucks Home Choice
- 60% agreed that someone with an identified housing need and previous rent arrears should be placed into the lowest priority band for re-housing until they have cleared the outstanding rent arrears in full.
- 40% agreed that same sex siblings should be expected to share a bedroom until the older child reaches the age of 21.
- 91% agreed that someone who is under-occupying social housing should be given the highest priority banding so that they can move to a smaller home and release their current property for re-letting to a family who need it.

- 83% agreed that households who are severely overcrowded or living in housing assessed as being insanitary and/or in a state of significant disrepair (and which cannot be remedied within a reasonable timeframe) should be awarded higher priority for rehousing in order to prevent homelessness.

- 4.4 The Bucks Home Choice Management Board (comprising the four District Councils) has reviewed the draft revised policy following the consultation. The main proposed policy revisions remain unchanged from those that were reported to Cabinet in October 2018.
- 4.5 The one proposed revision that has been amended relates to the maximum age at which same sex siblings should be expected to share a bedroom. This forms part of the assessment of the size of property that a household requires and helps to determine whether or not the household currently has insufficient bedroom space for the number of members (i.e. if a household is deemed to be lacking 1 or more bedrooms then it will potentially qualify to register with Bucks Home Choice for rehousing). The draft policy issued for consultation had proposed that the maximum age at which same sex siblings would be expected to share a bedroom should be raised from 16 years to 21 years. This was intended to reflect the current demands on social housing (and family housing in particular) meaning that households should expect same sex siblings to share rooms for longer rather than expect to be able to move on the larger accommodation. This also reflected the guidance on overcrowding in the Government's "Allocation of Accommodation: Guidance for Housing Authorities". However, as shown in Paragraph 3.5 above, the majority of respondents to the consultation disagreed with this approach. Respondents cited practical and welfare problems that can arise from older siblings sharing. They also highlighted that the proposed policy would be inconsistent with the bedroom standards applied by the welfare benefits system (e.g. Housing Benefit) and by individual Registered Providers in their own letting policies (e.g. a Provider may not allow older same sex siblings to share a room when allocating a property). Having reviewed this, the Bucks Home Choice Management Board has amended this revision so that the that the maximum age at which same sex siblings would be expected to share a bedroom should be raised from 16 years to 18 years and not 21 years as originally proposed. The partners will monitor the impact of this change following implementation and consider further amendments as and when required in the future.
- 4.6 The Bucks Home Choice Management Board has now drafted a final version of the revised Allocations Policy following the consultation exercise. A copy of this is in Appendix 1. A reminder of the main revisions and changes being made to the Policy is in Appendix 2. This final draft policy is being reviewed by the Council's Principal Solicitor in consultation with the Legal Services at the other District Councils to confirm that it satisfies all legal requirements set down in the Housing Acts and associated guidance.
- 4.7 The final adoption of the policy will be subject to the four District Council's in the Bucks Home Choice partnership (Aylesbury Vale DC, Chiltern DC, South Bucks DC and Wycombe DC) all confirming that they agree to adopt the final version of the policy. Cabinet is asked to consider the final draft of the revised draft policy and recommend to Council that the Head of Healthy Communities be delegated authority to make any final amendments and to agree and adopt the final version of the revised Bucks Home Choice Allocations Policy in consultation with the Healthy Communities Portfolio Holder and subject to Aylesbury Vale, South Bucks and Wycombe District Councils also adopting the revised policy

## 5. Consultation

5.1 The revised Bucks Home Choice Allocations Policy has been subject to a formal consultation exercise (see paragraph 4.3).

## 6. Options (*if any*)

- 6.1 The Bucks Home Choice Allocations Policy could be left in its current form. However, this would create significant risks for Council:
- It would leave the Council vulnerable to legal challenge on some aspects of the Policy which have not been formally updated to reflect changes brought forward by legislation, guidance, case law and Ombudsman decisions.
  - The current policy is no longer compatible with the Council's statutory homelessness duties following the implementation of the Housing Act 1996. Without the proposed revisions, the Council will face increasing challenges in meeting its statutory homelessness duties and preventing homelessness wherever possible (avoiding the need to provide costly temporary accommodation).
  - Other aspects of the policy which would benefit from updating will be left unchanged.
- 6.2 The proposed revisions will mean that the Policy will be more robust in responding to any challenges and fit for purpose in meeting the current legislative housing requirements.
- 6.3 It is recognised that the district and countywide arrangements for social housing allocations and the Bucks Home Choice Allocations Policy will be subject to wider review in due course as part of the transition to a unitary authority. However, in view of the issues highlighted in paragraph 6.1 it would not be appropriate to postpone the proposed revisions to the policy.

## 7. Corporate Implications

### 7.1 Financial

There will be costs associated with implementing any changes to policy (including IT changes) as and when the final policy is adopted. These costs will be shared across the four District Councils and provision for these costs has been included in the Council's budgetary estimates.

### 7.2 Legal

It is a statutory requirement for the Council to have an Allocations Policy for social housing. The policy has also been subject to an Equalities Impact Assessment.

## 8. Links to Council Policy Objectives

This report links to the following key objective:

Working towards safe and healthier local communities

**9. Next Step**

The Council will formally adopt and implement the revised Bucks Home Choice Allocations Policy in partnership with Aylesbury Vale District Council, South Bucks District Council and Wycombe District Council.

<b>Background Papers:</b>	None, other than those referred to in this report
---------------------------	---