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Housing and support



Peterborough  
Homes



## The Common Housing Register Allocations Policy Consultation



## Summary of Responses



Growing the right way for  
a bigger, better Peterborough

## **1. Introduction**

- 1.1. Peterborough City Council is required by law to have a housing allocations scheme which shows how the council prioritises applications for housing and the procedures they follow in allocating those homes.
- 1.2. Although the council no longer owns or manages any social housing in the city it has existing agreements in place with 10 registered social landlords (RSL), which allows us to allocate their available properties.
- 1.3. The Localism Act 2011 made an amendment to the Housing Act 1996, which gave local authorities the power to set their own qualifying criteria for people who are allowed to join the housing register. This allows councils to restrict their housing register to allow entry to only those who are in the most urgent housing need as well as allowing exclusions for other reasons based on other locally set criteria.
- 1.4. In addition recent government guidance highlighted that councils have the power to frame their allocations policies to give additional preference to particular groups of people. The guidance recommends councils consider how they can use their allocation policies to support those households who want to work, as well as those who, while unable to engage in paid employment, are contributing to their community in other ways, for example, through voluntary work.
- 1.5. The introduction of the Welfare Reform Act 2012 has made changes to housing benefit which will impact on social housing tenants (council and housing association tenants) from 1 April 2013. The changes will mean tenants of a working age will only receive housing benefit according to the number of bedrooms a household needs.
- 1.6. On 03 October 2012, following a period of consultation with our housing association partners, we published a draft allocations policy and sent a consultation questionnaire to all of the current live applicants on the housing register. We sent an electronic copy to all of our partner and support agencies, who currently receive correspondence relating to our choice based lettings scheme and we published a copy of the draft policy and consultation questionnaire on the city councils website.
- 1.7. The consultation process ended on the 30 December 2012.
- 1.8. We have now considered all the responses received. Chapters 2 & 3 of this document summarise the responses to the consultation. Chapter 4 highlights any changes or additions to the proposed policy in light of the consultation responses.

## **2. Summary of Responses**

- 2.1. In total we received 563 responses to the consultation. These were from representatives from our partner housing associations; other departments in the council; professionals working in a housing field and members of the public.

2.2. Not all of the questionnaires were fully completed and a number of responses were not submitted in the questionnaire format. Therefore some of the question tables in Chapter 3 may not tally with previous questions.

### 3. Responses to questions

**Question 1:** To help us make best use of the information you provide, please tell us if you are a:

Member of the public	500	Representing an organisation	13
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513 people responded to this question

**Question 2:** Do you agree with the proposal to restrict entry to the Housing Register as detailed below?

#### ELIGIBILITY TO JOIN THE HOUSING REGISTER

We are proposing to restrict entry to the housing register to those who are in the most urgent housing need, this includes:

1. Homeless households
2. Those who are threatened with homelessness
3. Those living in insanitary or unsatisfactory housing conditions
4. Those who need to move for social/welfare reasons, or
5. Those for whom failure to assist in moving will cause particular hardship

#### Why are we making this proposal?

Currently Peterborough operates an open Housing Register, which means it is open to all who may wish to apply as long as they are 16 or over, except where:

1. They do not have a right to reside in the UK, or
2. They have previously been guilty of unacceptable behaviour, which would make them unsuitable to be a tenant.

Having such an open register has meant that over the last few years we have seen a large increase in the number of live applications. In July 2012 there were 9324 live applications being considered, these were prioritised into 5 bands (where band 1 is the highest priority) determined by the applicant's housing need and were broken down as follows:

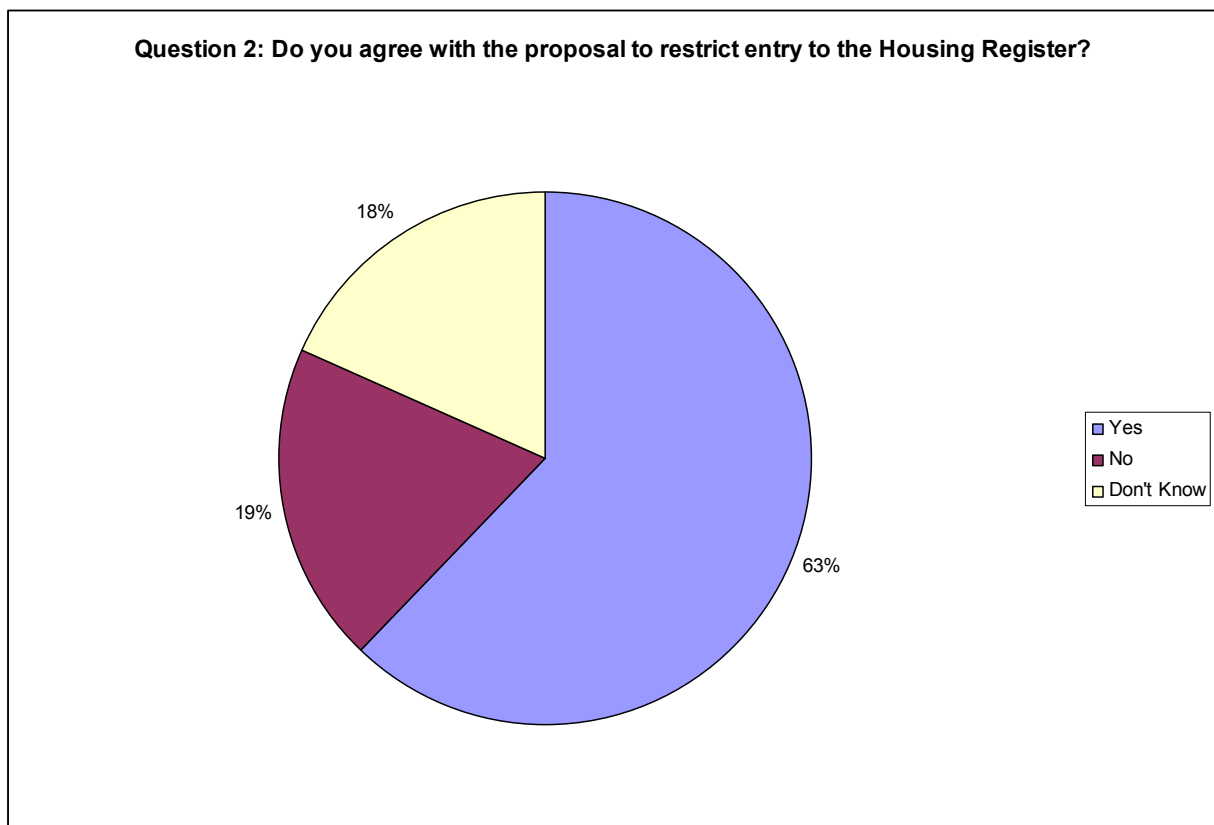
- 311 Applicants in band 1
- 3137 Applicants in band 2
- 1280 Applicants in band 3
- 3338 Applicants in band 4
- 1258 Applicants in band 5

Last year April 11- April 12 we allocated 1208 properties through our choice based lettings scheme. In the same time we accepted 2678 new applications.

Unfortunately such is the demand for general needs accommodation most of the applicants in band 4 & 5 will never be successful for an allocation of accommodation.

526 people responded to this question.

Yes	328	No	101	Don't Know	97
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*“Agree strongly - people with means could get a mortgage or rent in the Private Sector” Member of the public*

*“Agree - Homeless/threatened with eviction must be dealt with first” Member of the public*

*“Disagree - Families on low income should always be housed” Member of the public*

*“Agree - Must have restrictions as so many want housing” Member of the public*

*“Disagree - Everyone deserves place of their own” Member of the public*

*“Agree - Housing help is for needy, not just for everyone” Member of the public*

**Question 3:** Do you agree with the proposal to restrict entry to the housing register to those who have a local connection with Peterborough as detailed below?

**LOCAL CONNECTION**

It is proposed that we will only accept applications from those who have a connection with Peterborough. A connection will be established by:

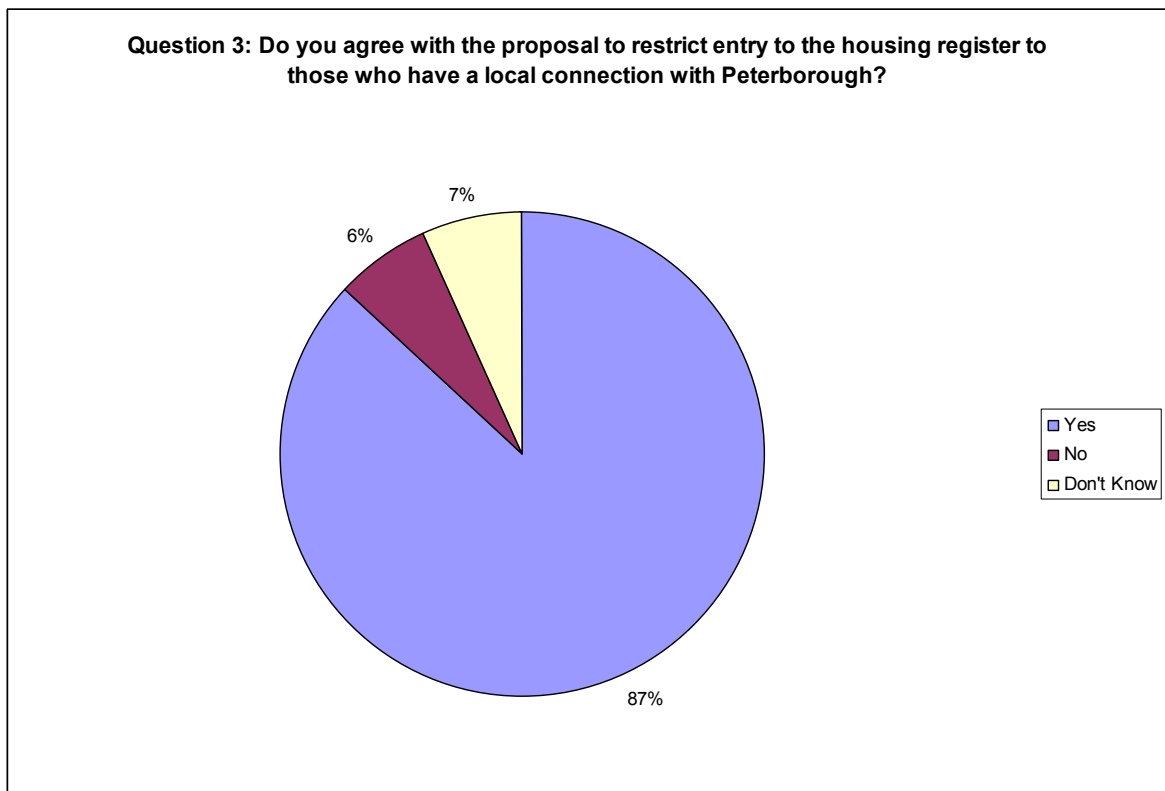
1. having lived in the area for six of the last 12 months or three of the last five years, or
2. having immediate family members who live in the area and have done for the last five years, or
3. those who are working in the city, or
4. those who need to move to the area for special reasons e.g. in order to receive specialist medical care

**Why are we making this proposal?**

As previously demonstrated social housing in Peterborough is in significant demand and most who register will never be successful in being allocated a property. We propose that the people from Peterborough or those with a connection should be given priority over those that don't.

547 people responded to this question.

Yes	475	No	35	Don't Know	37
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*“Agree - Each council should take care of its own residents” Member of the public*

*“Agree - Local people shouldn't be disadvantaged due to mass immigration” Member of the public*

*“Disagree - Should be just Peterborough people that get places” Member of the public*

*“Disagree - Everyone should be able to get housing” Member of the public*

*“Agree - Stop assumption that move into area = automatically get house” Member of the public*

*“Agree - 6 of the last 12 months seems too short a time and almost makes local connection as a qualifying criteria and "reward" for local people irrelevant. I don't think living somewhere for 6 months means you have a local connection.” Organisation*

**Question 4:** Do you agree with the proposal to exclude those who have previously behaved in an unacceptable manner, which would make them unsuitable to be a tenant of a social landlord as detailed below?

Unacceptable behaviour would be defined as follows:

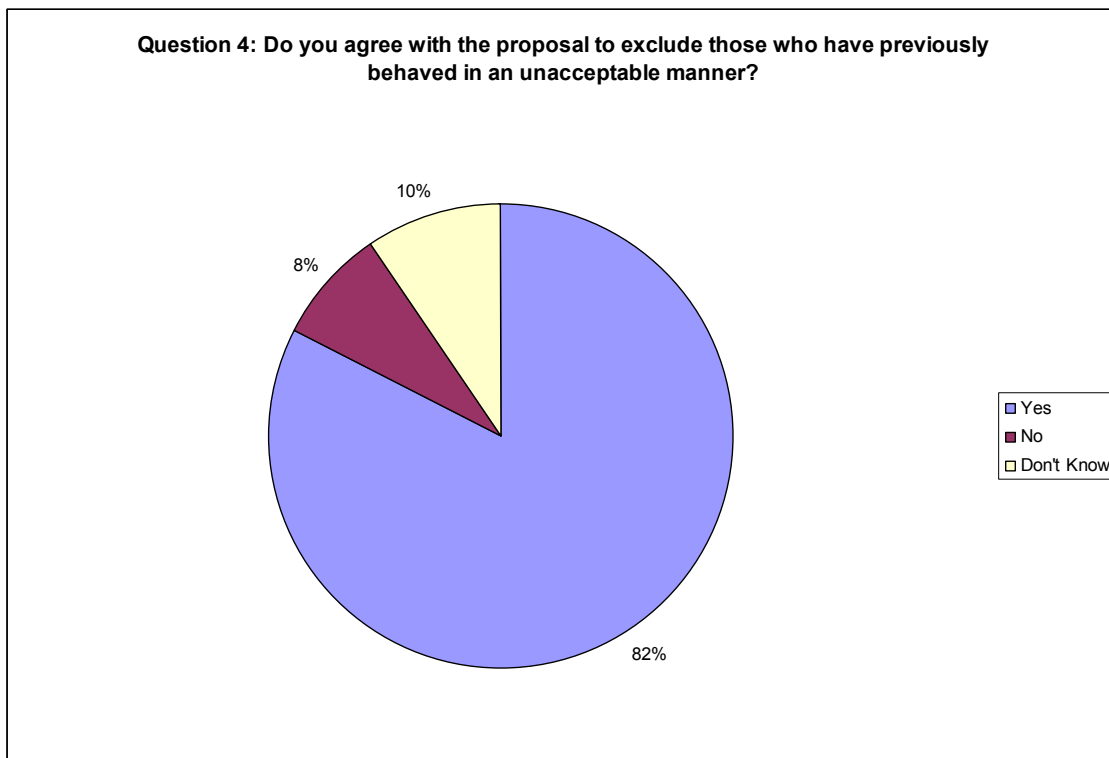
1. Behaviour, which is considered serious enough that if the applicant or a member of their household were a council tenant there, would be sufficient evidence for the council to obtain at least a suspended possession order. Such behaviour may include:
  - i. failing to pay the rent
  - ii. breaking the terms of a tenancy agreement
  - iii. causing nuisance to neighbours or anti social behaviour
  - iv. being convicted of using the home for immoral or illegal purposes
  - v. being convicted of an arrestable offence committed in, or in the vicinity of the home
  - vi. causing the condition of the property to deteriorate by a deliberate act, or by neglect
  - vii. making a false statement to obtain a tenancy, or
2. The applicant or a member of their household has been served with an injunction by a council or their landlord to stop them behaving in a way which causes nuisance or annoyance to others, or
3. The applicant or a member of their household has current tenancy arrears in excess of 8 weeks rent, or
4. The applicant or a member of their household has any outstanding former tenant arrears

#### **Why are we making this proposal?**

As previously demonstrated social housing in Peterborough is in significant demand and most who register will never be successful in being allocated a property. We propose that the people who behave in an anti-social manner or do not meet their primary obligations as a tenant and ensure their rent is paid should not be permitted to apply for another property.

535 people responded to this question.

Yes	442	No	42	Don't Know	51
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*“Agree - Councils responsibility to reinforce law and order” Member of the public*

*“Don't Know - Depending on circumstances as all individuals should have a second chance” Member of the public*

*“Agree - Makes it fairer on people who do everything right, i.e. pay rent, don't cause nuisance etc.” Member of the public*

*“Disagree - People grow and change - why write them off?” Member of the public*

*“Agree - All comes down to respect for the law” Member of the public*

**Question 5:** Do you agree with the proposal to exclude those who are assessed as having sufficient resources from savings and income to secure and sustain alternative accommodation by way of outright purchase, obtaining a mortgage or renting privately as detailed below?

**SUFFICIENT RESOURCES**

Currently we do not look at applicant’s assets or savings when deciding if they can join the housing register. We propose that those applicants who own a property or have sufficient resources from

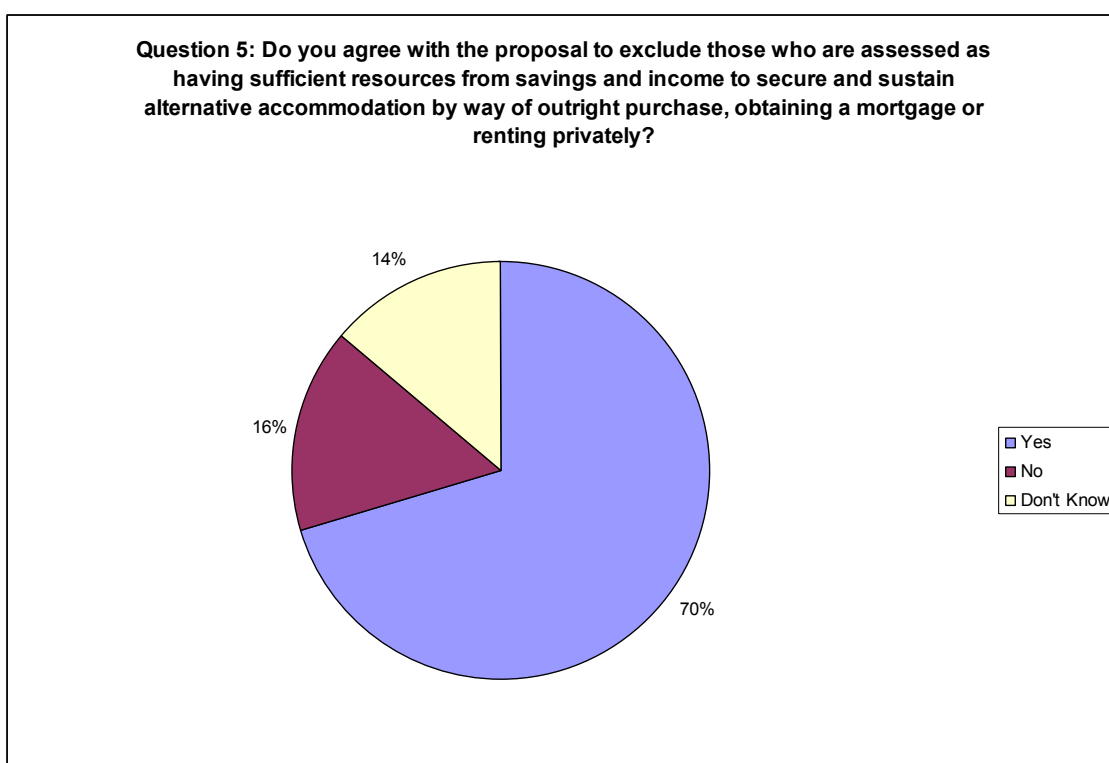
savings or income to secure and sustain alternative accommodation by way of outright purchase, obtaining a mortgage or renting privately should not be permitted to join the housing register.

**Why are we making this proposal?**

With demand so great we are only in a position to assist those in the most urgent housing need. Those who can afford to secure accommodation from other sources should not be denying accommodation from those who can't.

536 people responded to this question.

Yes	376	No	86	Don't Know	74
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*“Agree - If they can afford it they should not use the Council” Member of the public*

*“Agree - Only for those in genuine need” Member of the Public*

*“Agree - As long as people who work are not unfairly excluded as they help create balanced communities and not only a many private rented properties in poor repair and expensive, they offer no security at a time when many cannot get a mortgage even if they want to” Organisation*

*“Disagree - This is unfair to people who were born and bred in Peterborough and who have been on the list for more than 30 years” Member of the Public*

*“Don't Know - Think all should be able to get on Housing Register” Member of the public*

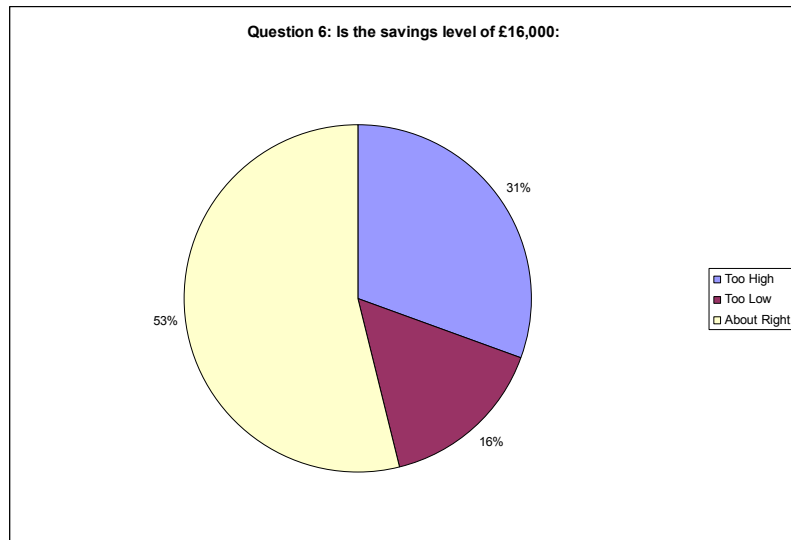


In deciding the level of sufficient resources we will look at applicants' savings and income. It is proposed that those with savings in excess of £16,000 or those with a household income in excess of £60,000 per annum should not be allowed to apply.

**Question 6:** Is the savings level of £16,000 a reasonable threshold:

530 people responded to this question

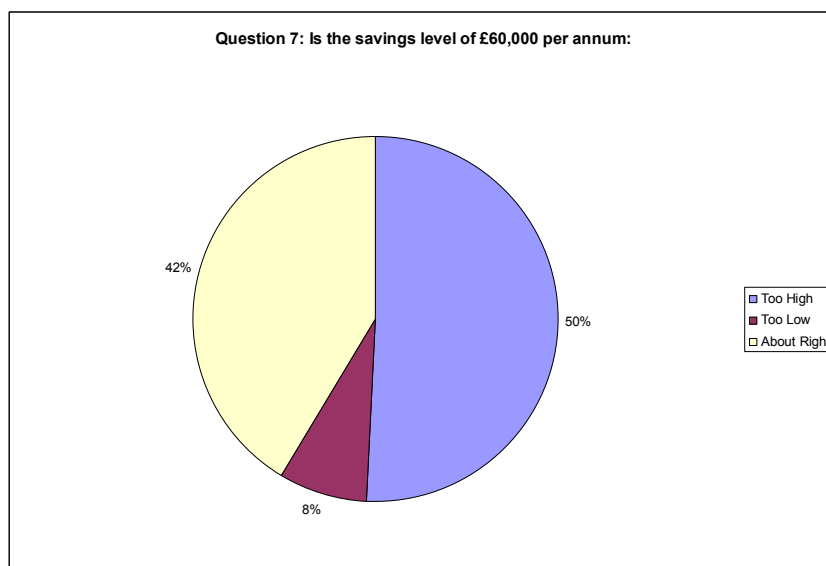
Too High	162	Too Low	83	About Right	285
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**Question 7:** Is the income level in excess of £60,000 per annum a reasonable threshold:

525 people responded to this question

Too High	267	Too Low	40	About Right	218
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*“Too High - My husband works part time, £16k too high for us. £60k dream for us. Very high from our thoughts” Member of the public*

*“Too High - People with that amount of savings should have enough money to rent privately; not fair on people without savings/on little income” Member of the public*

*“Too Low - No-one should be turned away because of money” Member of the public*

*“Too High - £16k savings more than enough for private rent” Member of public*

*“Too Low - Why exclude those who can pay rent for those who live on benefits and pay no council tax?” Member of public*

**Question 8:** Do you agree with the proposal to determine the number of bedrooms a household needs based on the criteria set out below?

### **BEDROOM ELIGIBILITY**

We are proposing that, when determining the number of bedrooms a household needs, we will allocate a separate bedroom to:

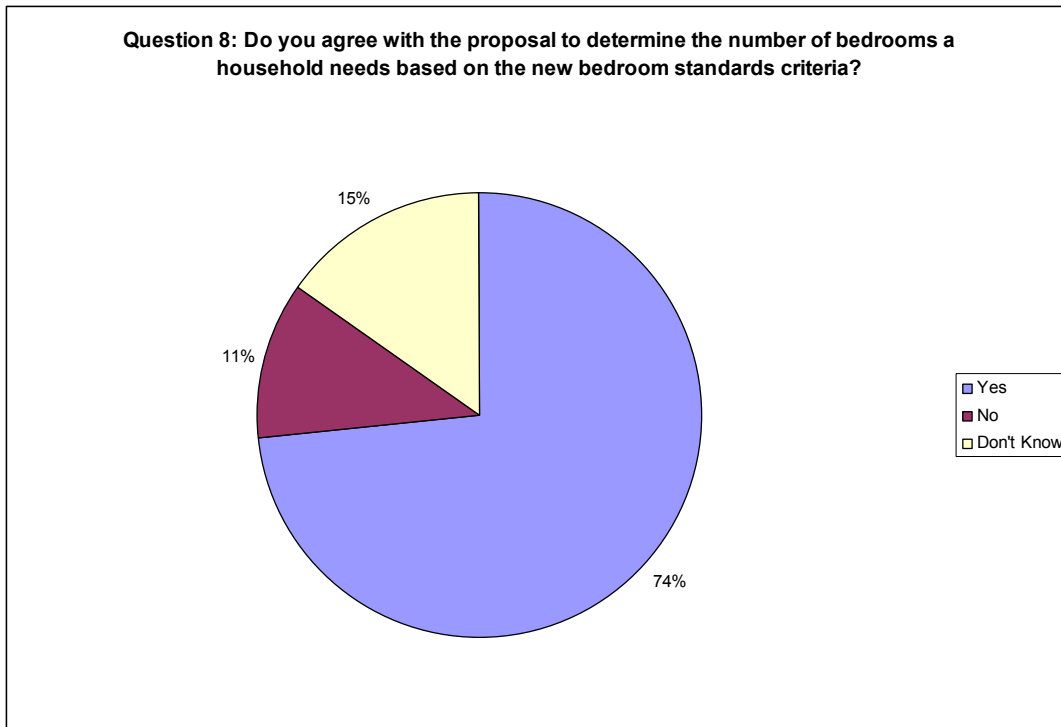
- Each married or cohabiting couple or single parent
- Any other person aged 16 years or more
- Two children of either sex under 10 years
- Two children of the same sex aged under 16 years
- Any person who cannot be paired

### **Why are we making this proposal?**

By making this change we will ensure that we do not allocate bedrooms above the bedroom criteria. This will mean that both prospective and current tenants who experience a change in circumstances and require housing benefit assistance will not be left with a financial shortfall if their property is deemed larger than they need thereby causing financial hardship.

535 people responded to this question

Yes	392	No	61	Don't Know	82
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*“Agree - Every room must be fully utilised, not as play room or office” Member of the public*

*“Disagree - Children have different sleeping patterns, esp disabled” Member of the public*

*“Agree - Should be made available to tenants with greater need” Member of the public*

*“Disagree - Medical reasons shouldn't be punished” Member of the public*

*“Disagree - Make provision for couples who can't sleep together due to health reasons” Member of the public*

*“Disagree - I think the bedroom criteria in the proposed changes to the common housing register should be guidance and advisory and not to exclude people from bidding for larger accommodation if they wish. Ultimately it is for us as the landlords to refuse or accept applications and if we believe there are good management reasons for letting a property we should take the risk on Housing Benefit. Housing policy should not be driven by welfare policy - they are not the same!” Organisation*

**Question 9:** Do you agree with the proposal to give social housing tenants who are under occupying their property band 1 priority as detailed below?

### **UNDER OCCUPATION**

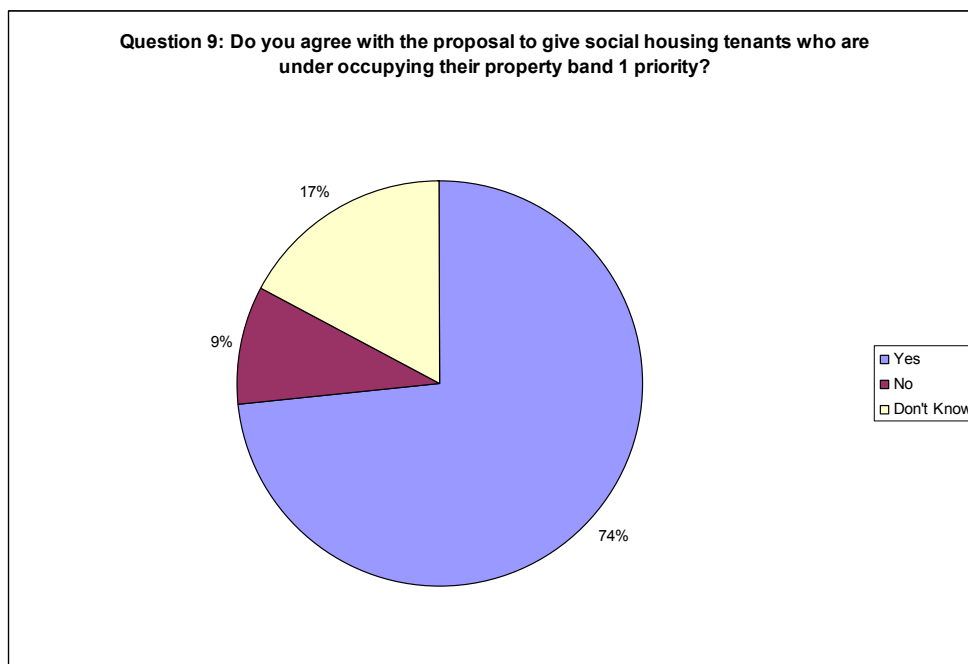
We are proposing that social tenants who are under-occupying their property will be given Band 1 priority.

**Why are we making this proposal?**

This proposed change will give greater priority to existing social tenants who are under-occupying their homes. Those who are under-occupying accommodation and in receipt of housing benefit will be at risk of financial hardship if they are not given assistance to move. In addition we are committed to making the best use of the limited housing stock available. Family sized homes released through this additional priority will be allocated to other households on the Housing Register.

539 people responded to this question

Yes	395	No	51	Don't Know	93
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*“Don't Know - Not sure if greater priority should be given to those who need to relocate” Member of the public*

*“Disagree - Band 1 should just be for people who don't have a house” Member of the public*

*“Agree - Keeping 1/2 persons in big family house not fair” Member of the public*

*“Disagree - People shouldn't be forced out of family home when one child leaves” Member of the public*

*“Strongly agree - property should be made available immediately for an appropriately sized family” Member of the public*

**Question 10:** Do you agree with the proposal to only allow an extra bedroom allocation on health grounds where there is an assessed need for an overnight carer as detailed below?

**ACCESS, HEALTH, CARE AND SUPPORT ASSESSMENTS**

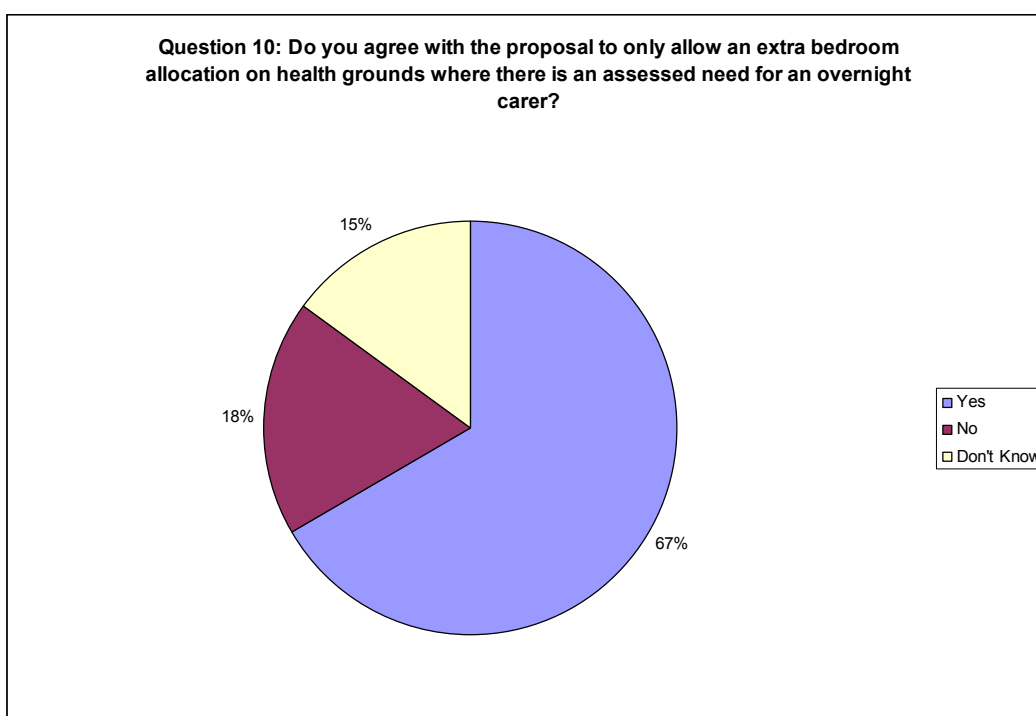
We are proposing consideration is only given for an additional bedroom on health grounds where there is a need for an overnight carer.

**Why are we making this proposal?**

Housing benefit payments will only cover bedrooms where there is an assessed need for overnight carers. It will not cover payments for other health needs i.e. extra bedrooms for storage of medical equipment or additional bedrooms for behavioural reasons etc.

530 people responded to this question

Yes	353	No	98	Don't Know	79
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*“Agree - To live successfully in independent accommodation people with a learning disability or with autistic spectrum disorder may require an additional bedroom due to behavioural reasons, however it is recognised that as housing benefit will not fund this it would be inappropriate to agree a social housing allocation policy which may lead to tenancy failure due to rent arrears.” Professional body*

*“Disagree - People with medical equipment? Must consider quality of life.” Member of the public*

*“Disagree - Need to store medical equipment should be taken into consideration” Member of the public*

*“Disagree - Need to store medical equipment should be taken into consideration” Member of the public*

*“Agree - Those who need overnight help should get extra bedroom” Member of the public*

**Question 11:** Do you agree with the proposal to give certain groups of people priority over other who may of a similar housing need as detailed below?

**ADDITIONAL PREFERENCE**

We are proposing that applications received from certain groups of people are given priority over others who may be in a similar level of housing need. These groups are:

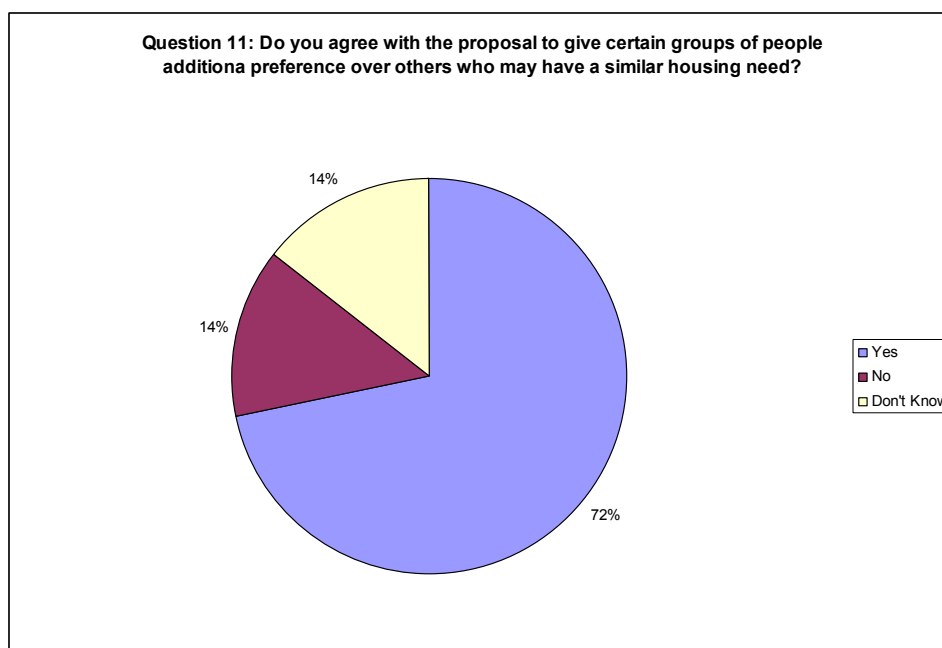
1. Armed Forces Personnel
2. Working Households
3. Those making a voluntary contribution to their community
4. Those with a long standing local connection with Peterborough

**Why are we making this proposal?**

Peterborough City Council believes that those who have a long-standing connection with the city, those who are working or actively seeking work and those who are playing a part in making their neighbourhood a good place to live should be rewarded for doing so. In addition we are now required to give additional preference to those serving and former members of the armed forces.

538 people responded to this question

Yes	385	No	76	Don't Know	77
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*“Agree - Should be helped if fighting for country” Member of the public*

*“Agree - Acceptable that those who contribute are given preference” Member of the public*

*“Disagree - Not everyone has opportunity to do what's proposed” Member of the public*

*“Agree - It should be recognised that additional preference in terms of making a voluntary contribution to their community for people with a learning disability for those with autistic spectrum disorder may entail supporting voluntary organisations based outside their own neighbourhood” Professional body*

*“Disagree - Why can't Army house their people?” Member of the public*

**Question 12:** Do you feel that the proposed changes to the allocations policy will have a disproportionate effect on the following groups of people?

Particular age groups	Yes	177	No	176	Don't know	165
Disabled People	Yes	221	No	180	Don't know	118
Married Couples or those entered into a civil partnership	Yes	129	No	224	Don't know	163
Pregnant women or women on maternity leave	Yes	142	No	204	Don't know	170
Particular ethnic groups	Yes	95	No	232	Don't know	183
Those of a particular religion or who hold a particular belief	Yes	61	No	267	Don't know	183
Male/Female	Yes	96	No	260	Don't know	160
Those proposing to undergo, currently undergoing or have undergone gender reassignment	Yes	45	No	231	Don't know	234
Sexual orientation	Yes	43	No	258	Don't know	211

*“I am particularly worried about families with disabled people and specialist needs” Organisation*

*“The proposals have the potential to negatively impact on families where a child has a learning disability or autism spectrum disorder unless housing authority staff has an understanding and*

awareness of these disabilities, and apply the policy in a way that does not indirectly discriminate against them.” Organisation

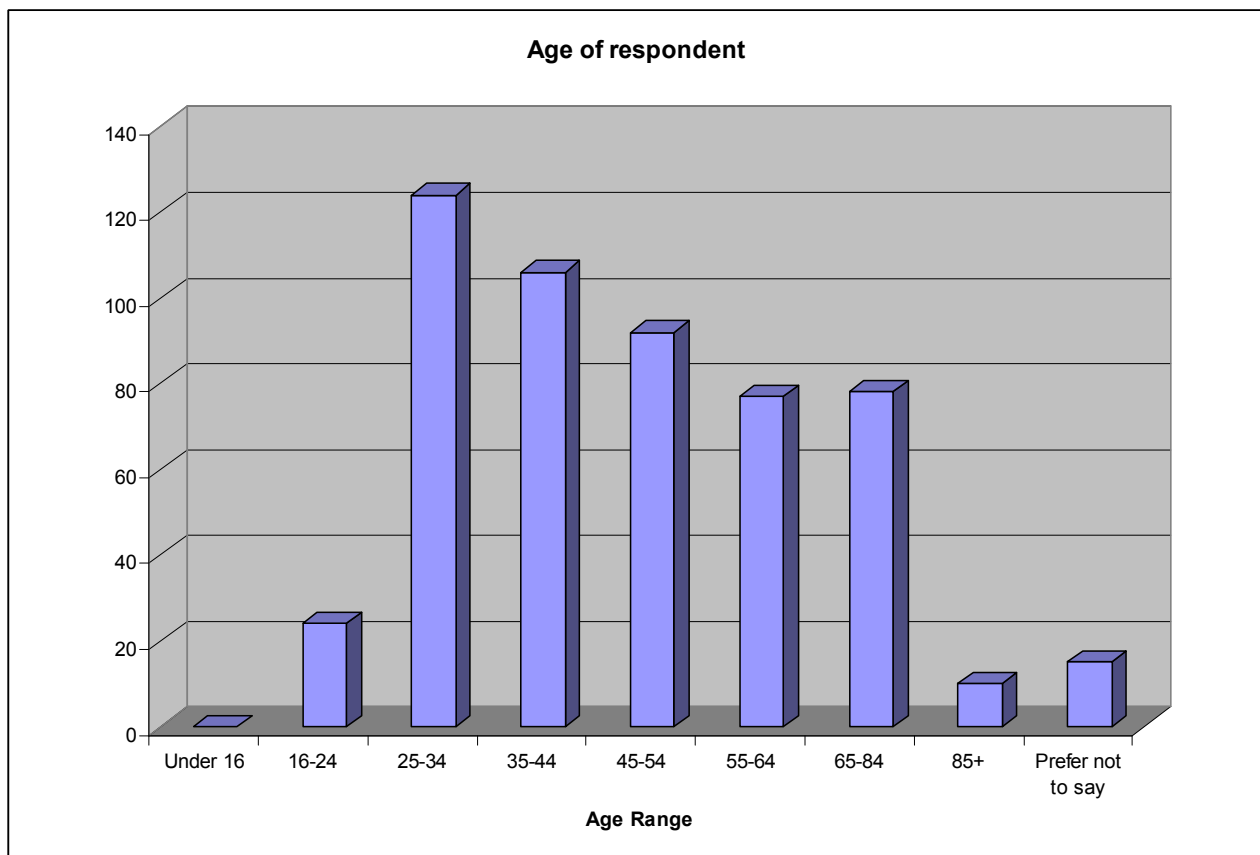
“age and disability - children having to move house too often. Older people not being able to have an extra bedroom. Disabled people not being allowed enough space to store equipment relating to their needs.” Member of the public

“Disabled people will probably be affected the worst by having to give up living space for their equipment that they need, Young children of different sex would be affected as it could mentally traumatize them sharing a room with their sibling who is budding or menstruating etc.” Member of the public

## EQUALITY MONITORING

Age of respondent

Under 16	0	Aged 16-24	24	Aged 25-34	124	Aged 35-44	106
Aged 45-54	92	Aged 55-64	77	Aged 65-84	78	Aged 85+	10
Prefer not say	15						



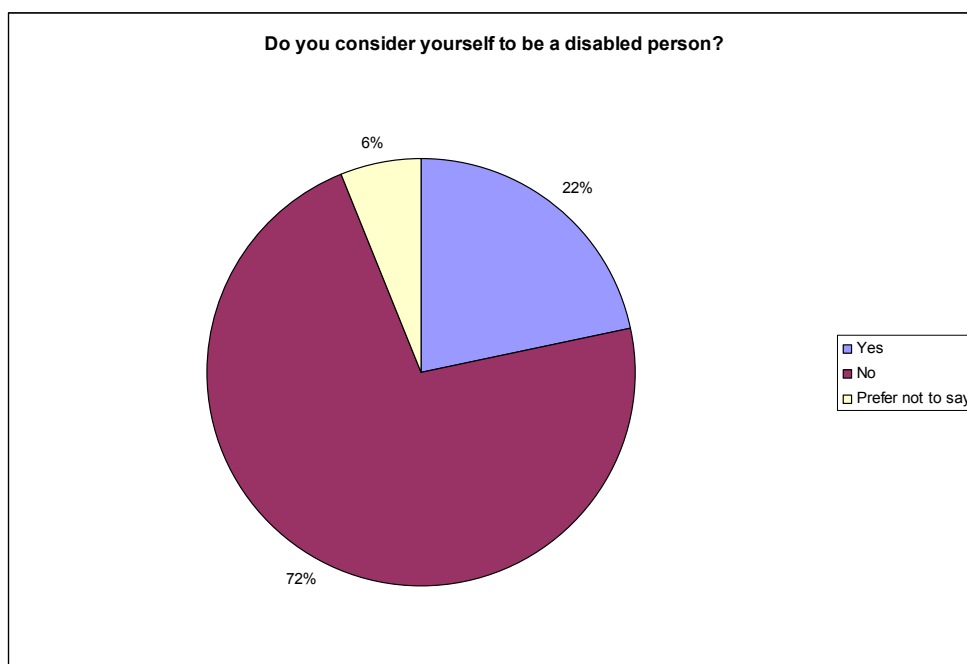
Disability



The Disability Discrimination Act (DDA) defines a person as disabled if they have a physical or mental impairment which has a substantial and long-term effect on their ability to carry out normal day-to-day activities and has lasted or is likely to last for at least 12 months. Since 2005 people with HIV, cancer, multiple sclerosis (MS) and severe disfigurement are covered by the DDA.

Do you consider yourself to be a disabled person?

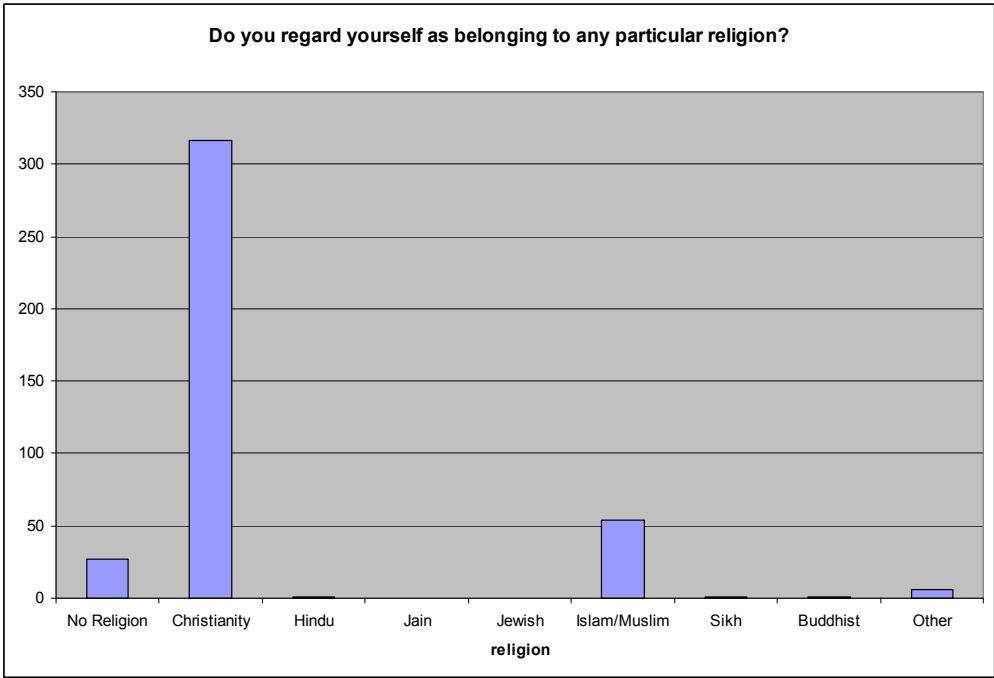
Yes	115	No	386	Prefer not to say	32
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Religion or belief

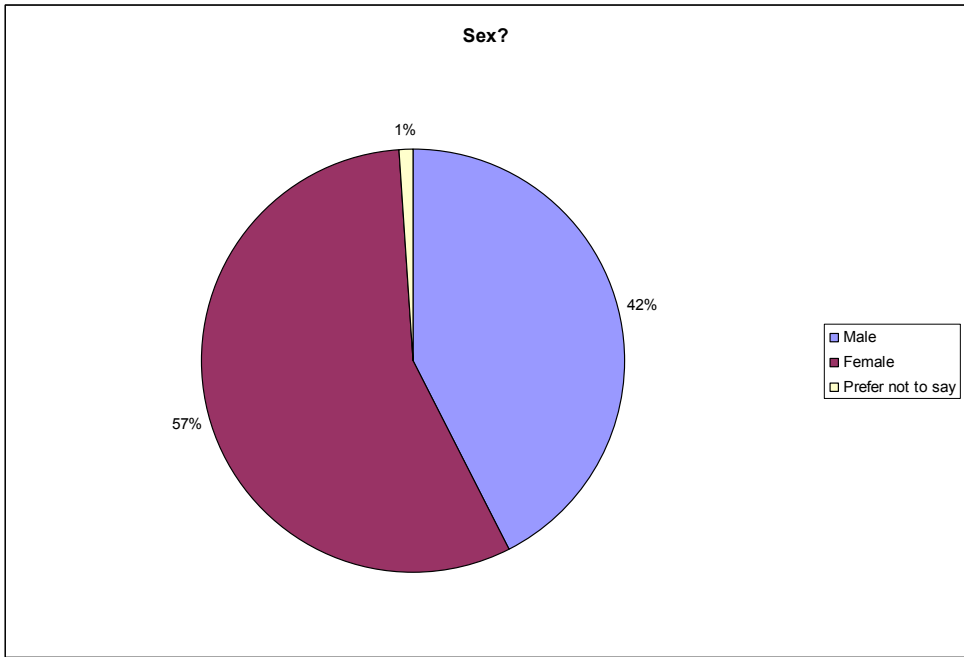
Do you regard yourself as belonging to any particular religion?

No religion	27	Christianity	316	Hindu	1	Jain	0
Jewish	0	Islam/Muslim	54	Sikh	1	Buddhist	1
Other	6						



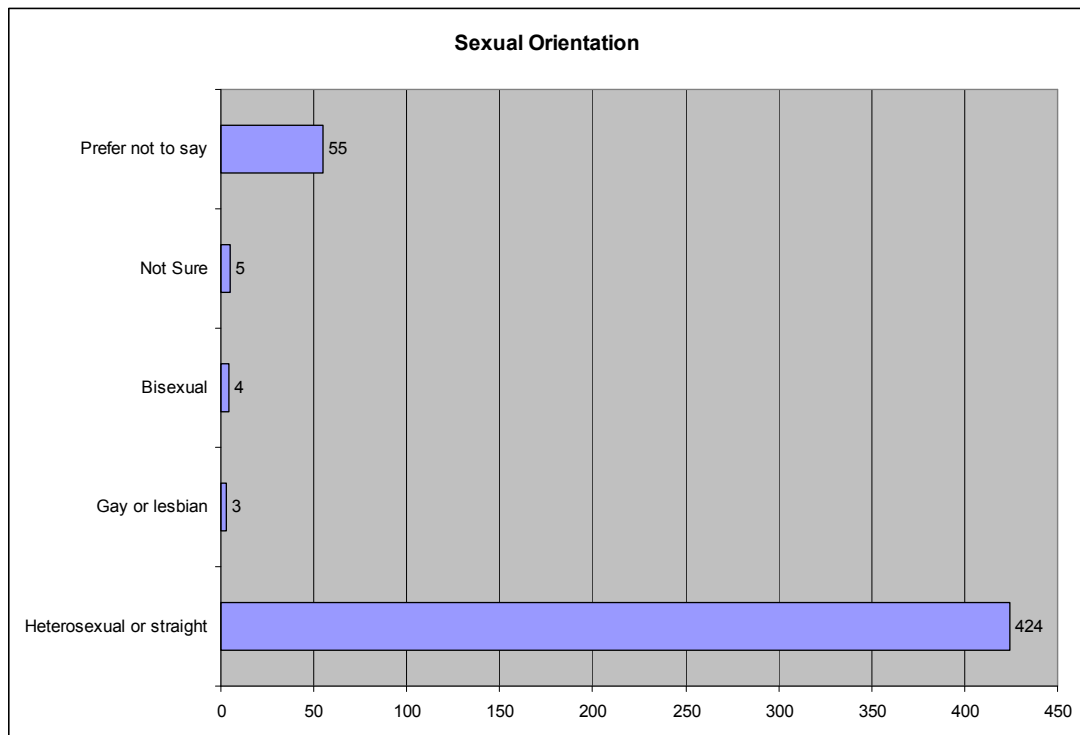
**Gender**

Male	223	Female	297	Prefer not to say	6
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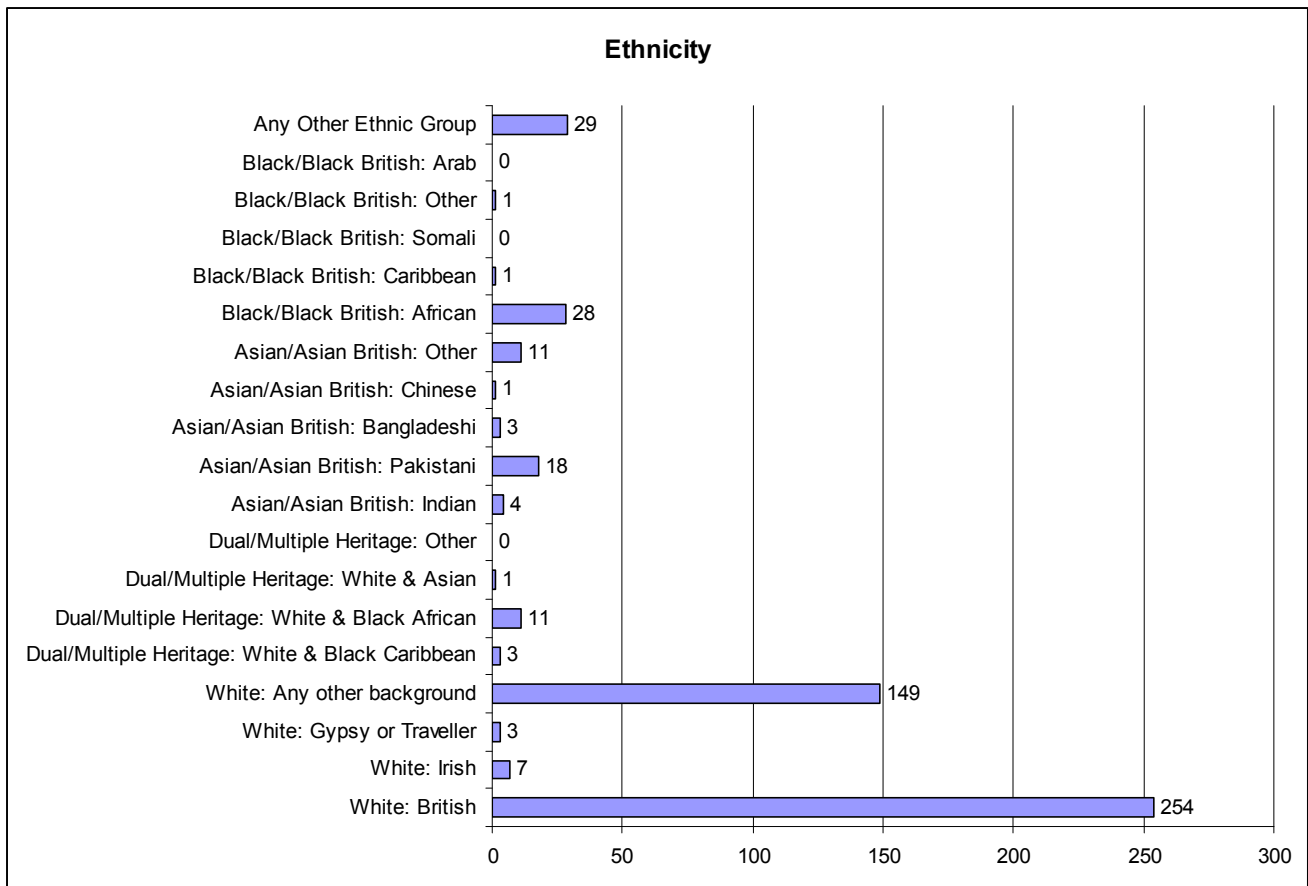
**Sexual Orientation**

Heterosexual or straight	424	Gay or lesbian	3	Bisexual	4	Not sure	5	Prefer not to say	55
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### Ethnicity

White: British	254	White: Irish	7	White: Gypsy or Traveller	3	White: Any other background	149
Dual/Multiple Heritage: White & Black Caribbean	3	Dual/Multiple Heritage: White & Black African	11	Dual/Multiple Heritage: White & Asian	1	Dual/Multiple Heritage: Other	0
Asian/Asian British: Indian	4	Asian/Asian British: Pakistani	18	Asian/Asian British: Bangladeshi	3	Asian/Asian British: Chinese	1
Asian/Asian British: Other	11	Black/Black British: African	28	Black/Black British: Caribbean	1	Black/Black British: Somali	0
Black/Black British: Other	1	Other Ethnic Group: Arab	0	Any other Ethnic Group	29		



### Additional Comments

As part of the consultation process the proposed allocations policy was presented to the Scrutiny Commission for Rural Communities. Following the presentation the commission requested that as part of the amendments, cabinet should consider the possibility of including awarding local preference for allocations to those who have a connection with the villages in local authority area.

While we are not against the idea of awarding additional preference to those who have a particular connection with a village, the purpose of the review of the allocations policy is to meet the needs of those most in housing need. It is felt that it would be unfair to include this provision as it would have a disproportionate effect on those living outside of the villages. If we were to include the provision, in order to not disadvantage others we would have to apply this across the whole of the local authority area. For example an applicant with a connection to Dogsthorpe would receive priority over someone who doesn't even if their priority for a move was lower. This would leave those who have been resident in, or have a connection with a village at a particular disadvantage, as they would only be considered a priority for a property in their village and the numbers of properties available in these locations every year are very few.

We do however encourage village parishes to consider suggesting sites, which could be developed as rural exception sites. An exception site is one that would not usually secure planning permission for housing, for example agricultural land next to but not within a local settlement area. The Council's Policy CS8 Meeting Housing Needs contained within the Peterborough Core Strategy states that the

Council may release a site adjacent to a village envelope for the provision of affordable housing, as an exception to the normal policy of development restraint in the countryside, provided that:

- The site is otherwise suitable for residential development in the light of all other policies in the development plan; and
- A specific local need for affordable housing has been demonstrated, over and above that which could be met through the operation of the affordable housing policy;
- The proposed housing would provide affordable housing of a number and type which meets (or contributes towards meeting) the **local need**.

A Rural Exception Site should seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection, whilst also ensuring that rural areas continue to develop as sustainable, mixed, inclusive communities.

On the 16<sup>th</sup> January 2013 the proposed policy and summary of responses was presented to the Strong & Supportive Scrutiny Committee. While the committee were in agreement with the proposed changes they recommended to cabinet that they consider removing the following criteria when assessing an applicant's local connection for entry onto the housing register.

- the applicant or a member of their household has resided in the Council's district for 6 months out of the last 12 months, or 3 out of the last 5 years and that residence is or was of his own choice, unless the reason that they came to the district was to attend an educational establishment;
- the applicant or a member of their household has immediate family (parents, children, brothers, sisters and other family members if there is a particularly close relationship) who have lived in the district for at least the previous 5 years

We recommend that the cabinet does not adopt this proposed change however as the local connection criteria in the proposed policy mirrors that of the local authority agreement in relation to the councils duties to homeless households. If the proposed change is inserted into the final policy the council could find itself in a position where we have a full housing duty to a homeless household, but we are unable to discharge that duty as the household do not meet the eligibility criteria to join the housing register. This would leave the council open to increased costs relating to that households stay in emergency accommodation and possible judicial review.

The committee also requested that cabinet further consider the income level, which is considered sufficient to be able to find and secure suitable alternative accommodation by way of outright purchase, by way of mortgage or renting privately excluded from the housing register. The committee felt that the level of £60,000 was excessive and beyond the reach of most households in Peterborough. They also felt that the proposal to lower this level to £40,000 per annum did not go far enough and asked cabinet to consider reducing the level further to somewhere around £30,000 per annum.

While we recognise that an annual income in excess of £40,200 per annum is beyond the reach of many families in Peterborough we recommend that cabinet agree to this level as reducing it further may dampen the aspirations of those applying to find better paid employment. This would also fly

against our proposals to give additional priority to those who are working and contributing to Peterborough's economy as it may appear that we are encouraging households to get into employment, but only to a point and could be counter productive.

In addition many sustainable communities are built on the base of a good mix of residents of differing backgrounds. Restricting the income level too far could compromise this and turn areas with a high density of social housing into areas of high levels of deprivation.

#### **4. Next steps**

In the light of consultation, we have decided to recommend a number of changes to the proposed policy.

##### **Sufficient Resources**

As part of the changes we intend to restrict entry to the register to those households who have sufficient financial resources to resolve their own housing situation by way of out right property purchase, being able to obtain a mortgage or by renting in the private sector. As part of the consultation we asked how much was a reasonable level of income and/or savings to set as the limit for entry to the register.

In the consultation questionnaire we set the limit on income to £60,000 as this was also the lower figure in the High Income Social Tenants Pay to Stay Consultation paper, which the department of communities and local government put out in June and the savings limit to £16,000 as this is the maximum amount of savings you are allowed to still be eligible to receive Housing Benefit.

Of those that had responded 267 felt the income limit of £60,000 was too high, 218 felt it was about right and only 40 felt it was too low. Many of the respondents suggested that an income limit of around £40,000 would be more appropriate. Therefore in the final draft of the proposed policy those with a household income in excess of £40,200 will be excluded from applying, except where they are aged over 55 years of age and would like to be considered for sheltered accommodation, but they will only be considered for accommodation of this type.

Most of the respondents felt that the savings limit of £16,000 was about right so this will be unchanged in the final draft.

##### **Bedroom Standards Policy**

We also propose to amend the current bedroom standards policy to mirror that used by the Department of Work and Pensions in assessing housing benefit entitlement for those renting in the private sector. The criteria is as follows:

1 Bedroom for:

- every adult/couple
- any other adult aged 16 or over
- any two children of the same sex
- any two children regardless of sex under age 10
- any other child

Changes as a result of the Welfare Reform Act 2011 due to be implemented in April 2013 mean that any household assessed under these criteria who is deemed to be occupying a social housing tenancy and is in receipt of housing benefit will have a reduction applied. The reductions are:

- 14% if they are under occupying by 1 bedroom, or
- 25% if they are under occupying by 2 or more bedrooms

By bringing the bedrooms standards policy in line with the criteria to be applied from April 2013 we are attempting to reduce the risk of more families being placed into poverty – a reduction of housing benefit would mean they would have to find the rent shortfall from other benefit income.

In addition this places an additional burden on our Housing Association partners as they are likely to see an increase in families in rent arrears as they are unable to meet the shortfall in benefit. This could ultimately lead to households being subject to eviction action and becoming homeless as a result.

As part of the consultation we asked whether the respondents agreed with these proposals. Of those that completed the questionnaires 392 agreed and 61 disagreed, 82 were not sure. While the large majority agreed with the proposals many that disagreed made strong comments around the difficulties of children with learning and physical disabilities sharing bedrooms.

Therefore after consulting with the Housing Needs medical advisor we have proposed in the final draft of the policy to allow discretion to award an extra bedroom entitlement to those who require it because they have a member of the household who is disabled and to registered foster carers.

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