

CABINET	AGENDA ITEM No. 7
21 FEBRUARY 2022	PUBLIC REPORT

Report of:	Michael Kelleher, Assistant Director - Housing	
Cabinet Member(s) responsible:	Cllr Steve Allen, Cabinet Member for Housing, Culture & Communities	
Contact Officer(s):	Sarah Scase, Housing Needs Operations Manager Sean Evans, Head of Housing Needs	Tel. 07920 160502 07920 160007

THE PETERBOROUGH HOUSING ALLOCATIONS POLICY

RECOMMENDATIONS	
FROM: Michael Kelleher – Assistant Director Housing	Deadline date: 2 March 2022 (Full Council)
<p>It is recommended that Cabinet:</p> <p>1. Recommend the new Allocations Policy to Full Council for approval.</p>	

1. ORIGIN OF REPORT

- 1.1 This report is submitted to Cabinet following Communities Scrutiny Committee on 4th January 2022.

2. PURPOSE AND REASON FOR REPORT

- 2.1 The purpose of this report is to present to Cabinet the final draft of the Common Housing Allocations Policy.
- 2.2 This report is for Cabinet to consider under its Terms of Reference No. 3.2.9, *'To commission reviews by and determine any changes of policy proposed by the Scrutiny Committees and Commissions making recommendations to Council about proposed changes to the Council's major policy and budget framework.'*

3. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	YES	If yes, date for Cabinet meeting	21/02/2022
Date for relevant Council meeting	02/03/2022	Date for submission to Government Dept.	N/A

4. BACKGROUND AND KEY ISSUES

- 4.1 The Peterborough Homes Allocations Policy was last updated in 2012 with subsequent minor amendments being made since. Although there have not been any major statutory changes, the

current policy does not now reflect some significant local developments which have happened since its creation. It is therefore imperative that a new policy is created which is accepted by Registered Providers (RPs) and which reflects Housing as a wholistic preventative service.

A report was brought to committee in November 2020 providing details of proposed changes to this policy and to set out the changes which the council intended to consult on. Scrutiny was content for consultation to commence.

Changes in senior leadership and developments in service delivery during the Covid-19 pandemic have slowed progress and changed some direction, but public consultation was commenced on proposed changes to the allocations policy in August 2021. Following its conclusion on the 22 November 2021 the views of those who responded and subsequent final proposed changes to the policy are being reported for review and scrutiny.

4.2 **Summary of proposed changes**

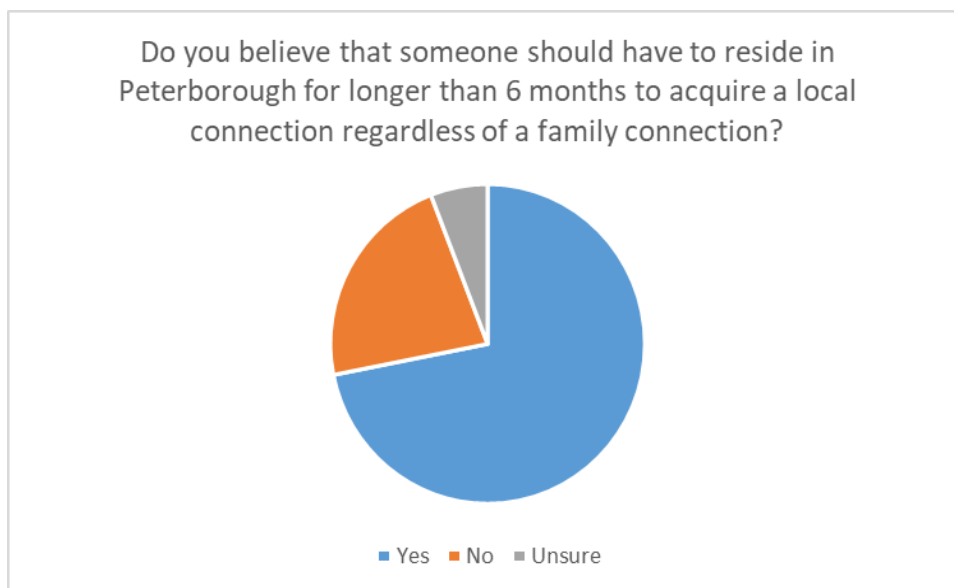
The most significant proposed changes to the allocations policy are:

4.3 **Additional Preference**

We are proposing to retain the additional preference categories, where we give greater priority to certain groups of households, but we are proposing to remove the category which provides those who have resided in Peterborough for over 5 years additional preference.

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

Local connection criteria is already a requirement to join the register in the first place and it aligns to the criteria in Homeless legislation meaning that applicants would still need to have a connection to Peterborough to be considered a qualifying person.



81% of respondents agreed that someone should have to reside in Peterborough for longer than 6 months to acquire a local connection regardless of family connection.

Although those responding to the consultation strongly believed that local connection criteria should be tightened, we do not believe that we should adopt the change in the local connection criteria. This is because the council could find itself in a position where we have a 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 or county court appeal.

While the overriding response from the public was that we should be giving additional preference to local people, our experiences since the previous change in the policy has meant that there are few households who qualify for additional preference, would not qualify for one of the other additional preference categories.

In addition, we want to promote additional preference for those who are making a positive contribution to the city through work, volunteering or serving our country this priority is somewhat watered down if a household who is not making a contribution to the city are awarded the same priority simply because they have lived here for over 5 years.

We have also had situations where households in the most need have waited too long for properties as they have been homeless or had significant health needs, but were being considered behind those who are not in as much need, but have lived in Peterborough for longer, which is unreasonable.

4.5 **Banding**

There are proposing to reduce the banding scheme from 5 bands down to 3.

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

We feel that the current 5 band systems causes confusion and unnecessary challenge. By reducing the bands down to 3 it is clearer.

Band 1 – Urgent Need
 Band 2 – High Need
 Band 3 – Moderate Need

54% of respondents agreed that we should reduce the number of bands to make the system simpler.

4.7 **Under occupiers**

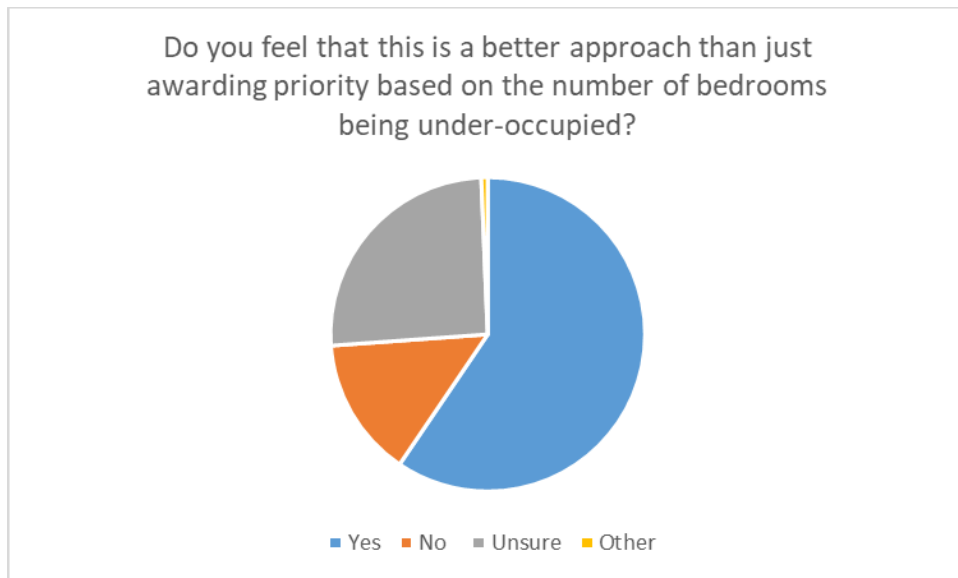
Currently we provide band 1 priority to households who are under occupying a partner landlords property.

We are proposing to change this so that we give greater priority to those who are occupying property that is in the greatest need.

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

We need to ensure that the priority goes to those who will be releasing a property that is in greater need. Priority will be awarded as below:

High Demand – Band 1	Low Demand – Band 2	No Demand – Band 3
2-bedroom houses	2-bedroom flat	2 bedroom sheltered flats
2-bedroom bungalows	2-bedroom maisonettes	
4-bedroom houses	3-bedroom maisonettes	
5-bedroom properties	3-bedroom houses	
6-bedroom properties		



The majority of the respondents agreed with the proposed approach.

Homeless Applicants

4.9

We are proposing that the Council prioritises those on the Housing Register who agree to work with us to prevent their homelessness, rather than rewarding clients with higher priority when they become homeless and move into temporary accommodation.

Why are we making this proposal?

4.10

There are 3 different pathways for those who become homeless:

- Those who are threatened with homelessness, known as the prevention stage. Clients can be in this prevention stage for up to 56 days or for their entire notice period if they are renting. During this time, we will support them by advocating for them to remain in their current accommodation or finding alternative accommodation before they become homeless.
- Those who are homeless and do not have any other accommodation for their occupation, known as the relief stage. Clients can be in this relief stage for 56 days where we support them in finding alternative accommodation.
- Those who are homeless and the 56 days in the relief stage has come to an end, known as the main duty decision stage. This decision considers whether the client is eligible, homeless, priority need, intentionally homeless and has a local connection, as per the Homeless Legislation.

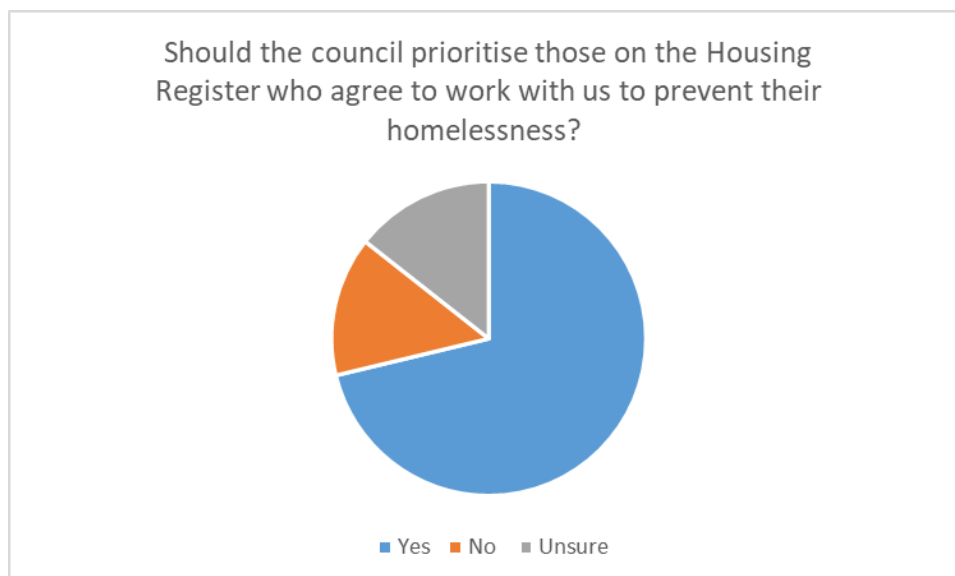
Homelessness has harmful effects on households and where possible the council wants to prevent it from happening in the first place. The homelessness legislation is there to provide a safety net for households who are left with no alternative. It should not be considered as a housing option. Homelessness is not a route into social housing, and we will primarily be exploring options in the Private Rented Sector.

The Council's primary focus is on keeping people in their homes for as long as possible or by moving households to alternative accommodation before homelessness arises. We propose to give higher priority to those households who come to us early and work with us to prevent their homelessness. This will reduce the number of households entering temporary accommodation and encourage households to explore other options such as mediation, to enable them to remain in their current accommodation.

It could be argued that the current approach provides a disincentive for households to work with us when they are not given priority until they become homeless.

Priority will be demoted for those households who do not agree to work with us and present to us for temporary accommodation. While we will still support those household to secure suitable alternative accommodation if they are owed a full housing duty it is likely that accommodation will be in the private sector.

Applicants who present to the council as homeless or threatened with homelessness within the next 56 days, will be assessed to determine whether they are owed a homelessness duty under the Housing Act 1996 Part VII (as amended by Homelessness Reduction Act 2017).



71% of respondents agreed that we should prioritise those on the Housing Register who agree to work with us to prevent their homelessness.

While homelessness can be prevented in many cases by working with the household to remain in their current accommodation or by finding alternative accommodation before they become homeless, there are cases where this cannot happen as it would not be reasonable to expect that a household should remain in a situation where they may be at risk of harm.

Cases where it is not reasonable for them to remain in accommodation while prevention opportunities are explored will not have their priority demoted if they are provided with temporary accommodation.

All proposed changes and a summary of responses is included in Appendix 1.

This has informed the final draft of the proposed policy is included as Appendix 2.

5. CONSULTATION

- 5.1 Following agreement from committee the council commenced a 12-week public consultation, which ran from the 31 August 2021 until the 22 November 2021.

An online consultation questionnaire was made available and details of how to access were published on the council's website, social media channels and directly with partner organisations.

Three virtual consultation events were also held for members of the public and our partners.

The consultation period has just concluded, and as well as the feedback received at the virtual events, 154 completed questionnaires were received along with some additional comments, which have been captured in the summary of responses document.

6. ANTICIPATED OUTCOMES OR IMPACT

- 6.1 It is anticipated that the updated policy will provide a more coherent approach which supports the Councils need to ensure that social & affordable housing is allocated to those who need it most, whilst ensuring that those are threatened with homelessness are supported to find accommodation before requiring costly emergency accommodation support.

7. REASON FOR THE RECOMMENDATION

- 7.1 Part 6 of the Housing Act 1996 as amended regulates the allocation of social rented housing by local authorities.

Local housing authorities are required by s.166A(1) of the Act to have an allocations policy for determining priorities, and for defining the procedures to be followed in allocating housing accommodation.

Local housing authorities must allocate in accordance with the allocation policy (s.166A(14)).

All aspects of the allocation process must be covered in the policy including the people by whom decisions are taken.

8. ALTERNATIVE OPTIONS CONSIDERED

- 8.1 Alternative options considered were:

Not to change the policy at all.

This was dismissed as the current policy is not only outdated and does not meet the needs of the city and demands on homelessness.

As the council is going through both a service re-design and the creation of a new Homeless strategy, it is vital that the allocations policy reflects the direction of the service and the current needs of Peterborough residents.

Other alternative options would be to make amendments to the current policy but not the changes that are proposed in this document. Officers are confident that the proposals suggested meet the council's aims to -

- Assist those in the highest need
- Let properties in a fair and transparent way
- Support vulnerable households
- Ensure there is a clear way of being reconsidered after a Nonqualifying decision

9. IMPLICATIONS

Financial Implications

- 9.1 None

Legal Implications

- 9.2 It is not envisaged that there will be any legal implications.

Equalities Implications

- 9.3 It is not anticipated that there will be any groups who are disproportionately affected by the changes in policy.

Carbon Impact Assessment

- 9.4 It is not envisaged that there are likely to be any impact on the Councils carbon emissions as a result of the changes in policy.

Children In Care and Care Leavers

- 9.5 It is proposed that children in care and care leavers will be given the same priority on the housing register as they are currently awarded.

10. BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

- 10.1
- Communities and Local Government Allocation of Accommodation: guidance for local authorities in England June 2012
 - Part VI of the Housing Act 1996, as amended by the Homelessness Reduction Act 2017
 - The Localism Act 2011

11. APPENDICES

- 11.1 Appendix 1 – 2021 Allocations policy consultation summary of responses
Appendix 2 – 2021 Allocations Policy Draft v.2
Appendix 3 – Current & Proposed Bands

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