

Decision Maker: EXECUTIVE

Date: For Pre-Decision Scrutiny by Renewal, Recreation and Housing PDS Committee on 6 September 2023

Decision Type: Non-Urgent Executive Key

Title: HOUSING ALLOCATION SCHEME AND CHOICE BASED LETTINGS (APPROVAL TO PROCEED TO STATUTORY CONSULTATION)

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Ward: All Wards

1. Reason for decision/report and options

- 1.1 The current Allocation Scheme was first published in 2012, amended in 2015 and the last formal update made in 2017 following the introduction of the Homelessness Reduction Act (2017). In order to ensure that the Scheme is contemporary and meets all current legislative requirements a review of the Council's Allocations Scheme was approved in November 2022.
- 1.3 This report accompanies the Draft Allocations Policy (Appendix 1) and identifies key changes alongside the indicative project delivery timescales.
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2. **RECOMMENDATION(S)**

- 2.1 The Renewal, Recreation and Housing Policy Development and Scrutiny Committee is asked to review the Draft Allocations Policy and make any comments available to the Council's Executive.
- 2.2 The Council's Executive is requested to:
- a) Approve the Draft Allocations Policy for eight weeks public consultation; and,
 - b) Note that the results of the consultation together with any suggested amendments arising from this consultation will be reported back to the Executive for final approval and adoption of the Allocations Policy.

Impact on Vulnerable Adults and Children

1. Summary of Impact: The Allocation Scheme ensures that the Council is able to meet its statutory responsibilities in respect of housing. That priority for housing is fairly and consistently prioritised in accordance with all legal and statutory responsibilities.
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Transformation Policy

1. Policy Status: Existing Policy
 2. Making Bromley Even Better Priority (delete as appropriate):
To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents.
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Financial

1. Cost of proposal: nil
 2. Ongoing costs: nil
 3. Budget head/performance centre: Operational Housing
 4. Total current budget for this head: £8.3m
 5. Source of funding: Revenue budget
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Personnel

1. Number of staff (current and additional): None
 2. If from existing staff resources, number of staff hours: N/a
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Legal

1. Legal Requirement: Statutory Requirement:
 2. Call-in: Not Applicable
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Procurement

1. Summary of Procurement Implications: None
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Property

1. Summary of Property Implications: None
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Customer Impact

1. Estimated number of users or customers (current and projected): More than 5,000 households' approach with housing difficulties which could lead to homelessness each year. At present there are just under 3000 households included on the Housing Register. There are currently approximately 1500 households in Temporary Accommodation these are predominantly located outside the borough. This includes c.1,100 households in costly nightly paid Temporary Accommodation. It costs the Council an average of £8,268 per household in Nightly Paid accommodation, this in turn puts a strain on LBB's budgets which impacts on other services. Officers believe the proposed changes will be clearer to those approaching the Council and more reflective of the current landscape, we understand that it is very difficult to navigate a CBL system that doesn't have high levels of property availability, under the proposed changes the Council will be able to better manage customer expectations.
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? Pending
2. Summary of Ward Councillors comments: All Councillors will be invited to participate in the formal consultation once it goes live.

3. COMMENTARY

- 3.1 The Local Authority is required by the Housing Act 1996 (as amended) to have an Allocation scheme for determining priorities and for defining the procedures to be followed in allocating housing accommodation. This scheme enables the Council to consider the individual needs of those applying for housing while making best use of the very limited housing resources available to it.
- 3.2 The Council assess all applications, if the client/s are eligible and qualify for inclusion, they are placed on our housing register. This enables officers to award priority based on housing need. The Allocations policy sets out:
- I. How to apply for housing
 - II. Who is eligible to be accepted onto the housing register
 - III. Who qualifies to be accepted onto the housing register
 - IV. Who does not qualify
 - V. How and at what level priority is awarded
 - VI. The size of property that will be allocated
 - VII. The processing of offering a property
 - VIII. How often an application will be reviewed.
 - IX. How to request a review of a decision.
- 3.3 The Housing Allocation Scheme aims to ensure that, the assessment process for inclusion onto the Housing Register is clear. Our procedures and practices are clear, and customers understand what they can expect of us and what their rights are. This enables the Council to manage expectations regarding the availability of social housing and promote awareness of alternative housing options and solutions, whilst making best use of all available social housing stock.
- 3.4 In June 2023, officers produced a Housing Allocations briefing paper to Members (HPR2023/043) this paper detailed the findings of the Allocations review in partnership with external consultants Campbell Tickell, alongside the proposed delivery model and indicative project delivery timescales. In line with the previous report officers are now able to share with members the 'Draft Allocations Policy' for review, with approval, this policy will be subject to statutory consultation.
- 3.5 The key changes in the scheme are as follows:
- I. Legislative updates – such as the Data Protection Act 2018 and contained within the General Data Protection Regulation 2018 (GDPR) and the Domestic Abuse Act 2021
 - II. Requirements for tenants as the Council now once again has its own housing stock and tenants including matters such decants, successions or under occupation.
 - III. Adjustments to the priority awarded to homeless households in order to support a reduction in the use of temporary accommodation.
 - IV. Revision of the priority bandings
 - V. A hybrid allocation approach and the limiting of choice in some instances.
 - VI. Adjustments to support the armed forces covenant and domestic abuse bill.
- 3.6 Not all properties that become available will be advertised and offered through the choice-based lettings system (CBL). In adopting a 'hybrid allocations policy' the majority of lets to those households with a moderate to high level of housing need, will be made via direct lets. This allows the Council to control the homeless challenge as well as making offers to specific applicants or for particular property types. The remainder of the properties will be advertised on Bromley Housing Portal; our choice-based lettings system.

- 3.7 As part of the Policy implementation process (post member approval and consultation) all applicants would be reassessed against the new Policy. Many applicants often forget to tell the Council of changes to their housing needs, it is envisaged that some applicants will be removed from the Housing Register as they may have sourced their own accommodation or had a change in circumstance since the last re-registration took place.
- 3.8 With just under 3000 applicants on the Housing Register this will be an extremely large task for officers to complete. The current staffing team is incredibly lean, consisting of just two Housing Register Officers, which will need to remain under consideration to proactively manage the function of the Scheme going forward. Greater resourcing within these areas would allow for a robust annual review of all those included on the Register, greater pre-allocation checks to ensure that any changes of circumstances are correctly addressed and enhanced support and assistance to ensure that offers are made and accepted.
- 3.9 As part of the Policy review consideration will also need to be given to the Council's Housing IT systems and their ability to support any proposals. Further details will be made available to Members in due course.
- 3.10 The Council seeks to identify any gaps for inclusion and gather evidence of the potential impact of proposed changes to the Housing Allocations Policy. This includes understanding the strength of feeling on the changes, for existing and potential social housing tenants and local providers of social and affordable housing.
- 3.11 Local Authorities are required to undertake formal consultation when proposing to introduce a new Housing Allocations Policy. The aim is for this to run for 8 weeks from October to November 2023 during which we will consult with a number of key stakeholders:
- I. Applicants on the Housing register some of whom may be impacted by the revisions if approved.
 - II. Residents of the borough.
 - III. Elected members.
 - IV. Registered providers with stock in the borough.
 - V. External agencies who work with the council or on behalf of residents of the borough.
 - VI. Internal stakeholders within the Council.
- 3.12 We are proposing to undertake the consultation with residents of the borough and specifically housing applicants via an online survey hosted by Campbell Tickell Ltd. The document will be sent to other stakeholders for their comments via an email poll.
- 3.13 We will monitor the results during the consultation period and on its conclusion analyse the results. These will be discussed within the Council and will fall into one of the following categories for action:
- I. If there is overall agreement; we will adopt the change.
 - II. If there is disagreement; this may inform a change in the proposed document provided there are no legal or operational barriers to doing so.
 - III. If we cannot adopt something; this will be flagged for council's attention when they consider the document for approval.
 - IV. At a later date the council will need to publish the results of the consultation.
- 3.14 Following the consultation we will finalise the Housing Allocations Policy and it will be presented for approval in January 2024. It will be accompanied by a full stakeholder consultation report and an equalities impact assessment. The Council is aiming to implement the new scheme in April 2024.

3.15 The table below provides an indicative timetable of dates for consultation and subsequent reports will be made available.

Date	Meeting	Action
6th September	RR&H PDS	To seek approval for 8 week consultation.
20th September	Executive	To seek approval for 8 week consultation.
2nd October	N/A	To commence public consultation - close 27th November 23
22nd January 24	N/A	Paper and final documents to be circulated via Democratic Services
31st January 24	RR&H PDS	To seek approval for final allocations policy
7th February 24	Executive	To seek approval for final allocations policy

4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

- 4.1 The Allocation Scheme ensures that the Council is able to meet its statutory responsibilities in respect of housing. That priority for housing is fairly and consistently prioritised in accordance with all legal and statutory responsibilities.
- 4.2 Included in the review of the Allocations Policy, officers will complete an exercise to assess the impact of any changes to our live waiting list and undertake an Equality Impact Assessment.

5. TRANSFORMATION/POLICY IMPLICATIONS

- 5.1 In accordance with the Housing Act 1996 Housing Authorities are required to have an Allocation Scheme for determining priorities and for and for defining the procedures to be followed in allocating housing accommodation; and they must allocate in accordance with that scheme. This is required regardless of whether they own their own housing stock or contract out the delivery of any of their allocation functions.

6. FINANCIAL IMPLICATIONS

- 6.1 There are no direct financial implications arising from this report.

7. LEGAL IMPLICATIONS

- 7.1 Part 6 of the Housing Act 1996 and other associated legislation and guidance, requires the Council to develop housing allocation schemes which give reasonable preference to certain categories of applicants. Section 166A(13) of the Housing Act requires all stakeholders to be consulted on any changes to a Housing Allocations Policy.
- 7.2 Officers instructed external lawyers to consider the draft Allocations Policy as the Council's in-house legal service do not currently possess the expertise to advise.

8 CUSTOMER IMPACT

- 8.1 More than 5,000 households' approach with housing difficulties which could lead to homelessness each year. At present there are just under 3000 households included on the Housing Register. There are currently approximately 1500 households in Temporary Accommodation these are predominantly located outside the borough. This includes c.1,100 households in costly nightly paid Temporary Accommodation. It costs the Council an average of £8,268 per household in Nightly Paid accommodation, this in turn puts a strain on LBB's budgets which impacts on other services. Officers believe the proposed changes will be clearer to those approaching the Council and more reflective of the current landscape, we understand that it is very difficult to navigate a CBL system that doesn't have the availability, under the proposed changes the Council will be able to better manage customer expectations.

Non-Applicable Headings:	Procurement Implications, Property Implications, Personnel Implications, Carbon Reduction/Social Value Implications, Ward Councillor Views
Background Documents: (Access via Contact Officer)	Housing allocations briefing paper HPR2023/043