

Classification: Open	Decision Type: Key
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Report to:	Cabinet	Date: 05 August 2024
Subject:	Allocations Policy	
Report of	Cabinet Member for Housing Services	

Summary

Bury Council have recently reviewed the Housing Allocations Policy to reflect the changing legislation, aligned with guidance from the Ministry of Housing, Communities and Local Government on Social Housing Allocations and good practice sourced from the Housing Quality Network. This work has been undertaken:

- To meet local needs for social housing.
- To maximise the use of Council Housing stock to meet increasing demands.
- To ensure that Council housing is allocated fairly and transparency to everyone with a Housing Need who meets eligibility criteria.
- To demonstrate the Council's commitment to its role as Corporate Parent when supporting the housing needs of our Children and Care Leavers.

This work has been independently reviewed via a commissioned external provider and has been consulted on with stakeholders, tenants, housing providers and other residents of the borough.

Recommendation(s)

1. To approve the draft policy and commence formal consultation for a six week period.
2. To delegate authority to make any post-consultation amendments to the Cabinet Member for Housing in consultation with the Director of Law and Governance.
3. To commit to review the policy within 3 years.
4. To delegate minor legislative amendments to the Cabinet Member for Housing in consultation with the Director of Law & Governance.
5. To consider the implementation of a future common housing register for all registered housing providers that have stock within the Borough.

Reasons for recommendation(s)

The reasons for these recommendations are to ensure Bury has a policy that meets good practice and local demands and priorities. This Policy seeks to maximise the use of the Council's housing stock to meet current challenges to help manage and sustain local communities. A Common housing register to access all social and affordable housing within the Borough would benefit all people on our housing register and attempt to meet increasing demands.

Alternative options considered and rejected

1. Do nothing – not an option due to the required legislative changes and local objectives and priorities.
2. Alternative methodology for allocating Council housing – current policy was independently assessed by HQN and endorsed as good practice.

Report Author and Contact Details:

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Department: Corporate Core

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Background

The Housing Act 1996 (as amended by the 2002 Homelessness Act) requires local authorities to make all allocations and nominations in accordance with an allocations scheme. Every housing authority must have an allocation scheme to determine housing priorities, and a procedure to be followed when allocating accommodation. The procedure by which a local authority allocates accommodation must be clear and concise. The criteria the authority uses must be set out to enable applicants to apply for accommodation for social housing and to assess their chances of success.

Bury Council's current Housing Allocations Policy was introduced in 2012. There have been some minor amendments which were completed in 2015, however since 2012 the Policy has remained fundamentally the same. Over this time, Bury's housing situation has changed considerably. There has been a significant rise in homelessness with the associated cost in the rising number of households and individuals in temporary and supported accommodation that is becoming unsustainable and unaffordable.

Welfare benefit reform, which include capping personal benefits and limiting the amount payable in rent via the Local Housing Allowance, have had a major impact in contributing to the loss of tenancies and the growth in numbers on the housing register and which is adding greater pressure on the need for social and affordable housing within Bury.

Since the publication of the updated Policy in 2015, the Homelessness Reduction Act 2017 increased Local Authority prevention duties and support to homeless people and families with greater expectations of support and advice. This detailed legislation for local authorities required amendments to all allocation policies to enable the desired outcomes of this legislation, including the Domestic Abuse Act 2021 which includes the new duty for Local Authorities to provide support to survivors of domestic abuse and their children in safe accommodation.

Bury Council's Allocations policy therefore required updating and reviewing to ensure the policy is fit for purpose and meets the Housing needs of Bury but importantly

adheres to new and existing Homeless and Housing legislation. The review was delayed in 2020 due to the impact of Covid and the pandemic.

The review of the policy has now been completed, including revised prioritisation of care leaver accommodation to better reflect the Council's corporate parenting commitments.

The attached draft represents a clear, fair and transparent policy for the implementation and allocation of Council housing in Bury. It is based on supporting those with the highest housing need and maximising the use of our social housing stock for those who need it the most. The new policy aims to assist with the sustainability of individual tenancies and is aligned to corporate strategies including the Council's Homelessness Strategy 2022 to 2025 and wider Community Strategy for achieving inclusive growth and reducing health inequalities, LET'S Do It!

The aims of the new policy are listed below:

- Meet housing need and support the most vulnerable - this is because need greatly outstrips supply.
- Ensure a people-focussed lettings service that embraces diversity and equality.
- Make best use of the Council's housing stock.
- Make best use of the Council's nomination rights to private registered providers' properties.
- Meet, wherever possible, people's aspirations.
- Contribute to sustainable communities.
- Support people in work or seeking work.

Consultation work has been undertaken throughout the development of the new policy, culminating in a public consultation in February 2024. Engagement to develop the new policy was undertaken with individual and families on the Housing Register, tenants house through the existing allocations system and rehoused tenants.

Work was also undertaken to include the views of the twelve housing associations who operate across Greater Manchester, Tenant Resident Associations, Council services, Support works including Domestic Abuse Caseworkers and Elected Members. These stakeholders were asked to consider:

- Changing the banding system to reflect high needs and low supply
- Higher banding for specific groups e.g. domestic abuse, care-leavers, families with children living in damp and mouldy housing etc.
- Greater priority for homeless households and those living in temporary accommodation.
- Simplifying the allocations and lettings process e.g. common housing register.

Changes made included ensuring that the new policy responded to:

- Recent national guidance e.g. care leavers, domestic abuse, members of the armed forces, damp and mould etc
- Emerging national policies e.g. reducing the banding or excluding households with anti-social behaviour records, and draft guidance on consumer standards

- Local Government & Social Care Ombudsman guidance that applications to join the housing register should be determined in six weeks
- The emphasise on Bury Home Options rather than choice-based lettings

Feedback from the engagement sessions has been included in the final draft now presented to Cabinet including:

- The need to strengthen the recognition of the Council's commitment as a Corporate Parent to supporting Care Leavers through to the age of 25.
- More precise use of Local Letting Policies as appropriate.
- The need for greater detail in the banding specifications in order to allow for operational clarity.
- Options to develop a Common Housing Register in consultation with all Housing Providers operating in the borough.

On the two final points, the external consultants HQN recommended that that a further project was undertaken focusing on the operational aspects of the nominations agreement and this is now being progressed and linked to the new consumer standards on allocations as set out by the Regulator for Social Housing that emphasize that there should be a satisfactory nominations agreement.

They also recommended that the Council should explore the possibility of a Common housing register that could ultimately replace the nominations agreement. The Council is currently scoping this work and the associated options appraisal regarding the most suitable governance arrangement for a Common Housing Register.

Based on their recommendations and the associated feedback from the engagement session, this report recommends that Cabinet approves the new Housing Allocation Policy for formal consultation for a period of six weeks with authorisation for further amends to be delegated to the Cabinet Member for Housing and the Council's Monitoring Officer.

Links with the Corporate Priorities:

Please summarise how this links to the Let's Do It Strategy.

1. Inclusive Growth
2. Reducing Health Inequities
3. Equality and Diversity
4. Corporate Parenting Local Offer

Equality Impact and Considerations:

*Please provide an explanation of the outcome(s) of an initial or full EIA and make **specific reference regarding the protected characteristic of Looked After Children**. Intranet link to EIA documents is [here](#).*

5. See appendices
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Environmental Impact and Considerations:

Please provide an explanation of the Environmental impact of this decision. Please include the impact on both **Carbon emissions** (contact climate@bury.gov.uk for advice) and **Biodiversity** (contact c.m.wilkinson@bury.gov.uk for advice)

6. n/a

Assessment and Mitigation of Risk:

Risk / opportunity	Mitigation
Customer complaints due to outdated policy.	Reviewed policy aligned to new relevant legislation and good practice.
Challenge from housing operators and those on the Housing Register.	Reviewed policy now aligns with all new legislation.
Better use of our Council Housing and stock aligned to current Council priorities – i.e. Care leavers.	Care leaver offer, greater flexibility on allocation of stock, reflect the Homelessness Reduction Act & DA / DV legislation etc.
Independent and transparent review of the policy.	Commissioned specialised support via HQN

Legal Implications:

7. Housing authorities are required by legislation to have an allocation scheme for determining priorities, and for defining the procedures to be followed in allocating housing accommodation; and they must allocate in accordance with that scheme (section 166A(14) Housing Act 1996). All aspects of the allocation process must be covered in the scheme, including the people by whom decisions are taken.
8. There are consultation obligations on the Council where there are any major changes proposed to an allocation policy (s168(3) Housing Act 1996). A major policy change would include, for example, any amendment affecting the relative priority of a large number of applicants or a significant alteration to procedures. Before we are able to alter a scheme to reflect a major change of policy we are also required to send a copy of the draft to every private registered provider with which we have nomination arrangements, and ensure they have a reasonable opportunity to comment on the proposals. The proposed changes and updates have been appropriately consulted on through the engagement work to date and are now suitable for formal consultation under Section 166A of the Housing Act 1996.

Financial Implications:

To be completed by the Council's Section 151 Officer.

9. There are no additional financial implications arising from approval of this policy.

Appendices:

Please list any appended documents.



EqlA Allocations
Update 24.docx

Background papers:

Current Allocations Policy:

[Housing Allocation policy - Bury Council](#)

Please list any background documents to this report and include a hyperlink where possible.