

Report to Cabinet

29 September 2022

By the Cabinet Member for Housing and Public Protection



DECISION REQUIRED

Not Exempt

Housing Register and Nominations Policy revisions

Executive Summary

Horsham District Council adopted its new Housing and Homelessness Strategy in October 2021. As part of the strategy 2021-2026, five overall objectives that the Council committed to assist us to tackle the challenges surrounding housing and homelessness in the Horsham District were identified.

The objectives are:

1. Ensure no-one needs to sleep rough through having no other choice
2. Empower residents to live independently in their homes
3. Deliver the number and size of affordable homes that our communities and residents need in line with planning policies
4. Provide and maintain an accessible and fair housing register
5. Prevent all forms of homelessness for our District's residents

Objective 4 relates to our housing register and more specifically about ensuring our approach to allocating permanent accommodation through our Housing Register and Nominations Policy continues to make the best use of the accommodation made available to the Council. The purpose of this report is to propose changes to the Council's Housing Register and Nominations Policy in order to improve the process used to meet the housing needs of those who require housing with the Horsham District.

Following a review with staff and stakeholders a number of changes have been proposed. The proposed changes are:

- Prioritise transfer (Registered Provider tenants) cases into new build properties
- Reduce verification visits for transfer (Registered Provider tenants) cases
- Increase areas of choice, specifically within Horsham Town
- Increase the disqualification income criteria from £30k to £40k for single person households
- Add reasonable preference category for Domestic Abuse (DA) victims who only have a connection to one area and having to flee there
- Enable the Council to discharge the homeless relief duty into Part 6 accommodation

Additional small changes to the policy are:

- Awarding additional preference to households for those under occupying family sized properties
- Awarding additional preference to households with a child in need plan in place
- Updating the wording surrounding refugee support
- Clarification of the definition of an applicant

Recommendations

Cabinet is recommended to:

- i) Approve the proposed changes and recommend to full Council that the revised Housing Register and Nominations Policy is adopted.

Reasons for Recommendations

- i) To ensure the Council fulfils its statutory responsibility of having a current Housing Register and Nominations Policy.

Background papers

Housing and Homelessness Strategy – 2021-2026

Housing Register and Nominations Policy August 2021

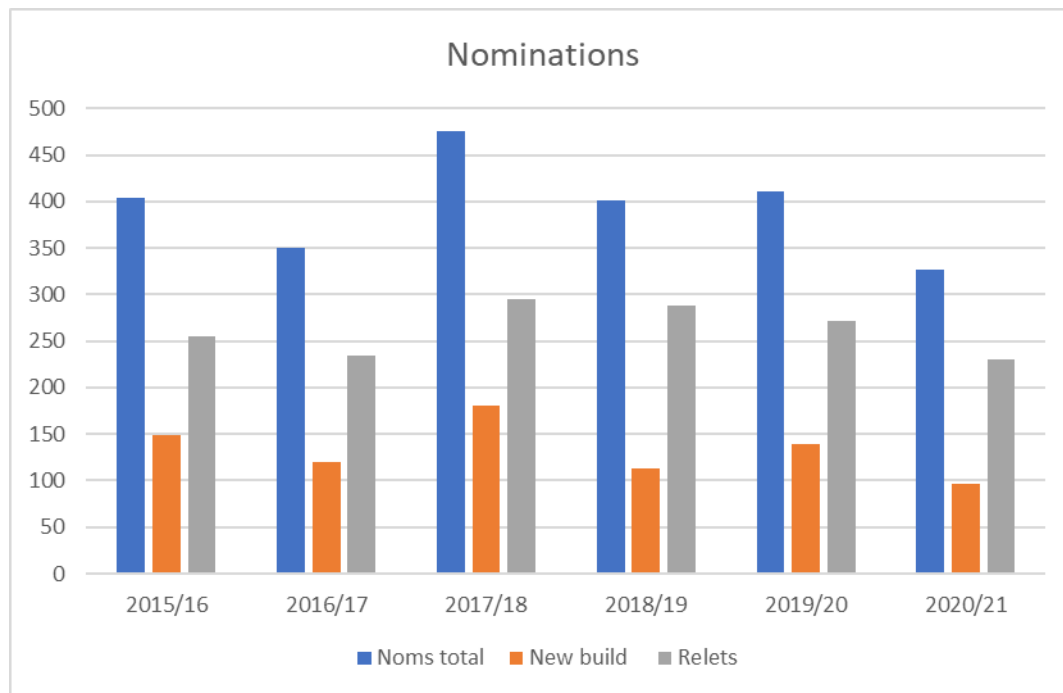
Wards affected: All wards affected

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Background Information

1 Introduction and background

- 1.1 The Housing Register and Nominations Policy was substantially reviewed in 2013. This change saw the removal of households with a desire to move and roughly halved the number of households on the housing register. In subsequent years the number of households with a housing need has steadily increased.
- 1.2 In terms of the objective to provide and maintain an accessible and fair housing register, the Housing Management team (Head of Service, Housing Services Manager, Senior Homeless Officer, Senior Allocations Officer and Senior Accommodation Officer) have reviewed a number of options to improve the Council's Housing Register.
- 1.3 The main challenges associated with leaving the housing register as it currently is:
 - The number of households on the Housing Register has grown considerably over the last few years, and we are expecting this trend to increase as the effects of the Covid-19 pandemic are felt.
 - The needs of those on the Housing Register are changing, with greater need for middle and larger sized properties and flexibility to ensure longevity in the properties.
 - Trying to predict and forecast needs for the future is hard, but this is important to ensure that developers are building houses that will suit the needs of the current housing register but also the likely needs of the same population when the developments will be completed.
 - There is likely to be a shortage of supply of new homes that does not keep up with the increase in demand. This could be due to the delays in having an adopted Local Plan and possible additional challenges for developers in respect of meeting water neutrality demands placed upon them.
- 1.4 The Council provides nominations to Registered Providers (RP's) through existing and new build accommodation. The numbers of new affordable homes is directly linked to the number of S106 development sites being delivered in the district and smaller land led sites delivered by Registered Providers partners. Historically we have supported RP's to uplift the numbers of affordable homes with funding through our S106 (Commuted Sums) fund which provide additional homes to be allocated to those on the housing register.
- 1.5 On new build schemes we receive 100% of the initial lets and 75% of relets in perpetuity. On accommodation transferred to Saxon Weald through the stock transfer from which they were created in 2000 we receive 50% of void properties. The only difference to this is if the council creates the void by transferring an existing RP tenant, in which case the Council will receive the void property that has been created.



- 1.6 As a snapshot, in November 2021 it was deemed that there were around 340 transfer cases on the housing register. This equates to around 42% of the housing register being transfer cases.
- 1.7 Households on the housing register can select as many or as few areas of choice across the district which is currently divided into 33 areas. Housing officers will identify the number of bedrooms a household needs given their circumstances and will nominate a household to the right sized property in an area of their choice when one becomes available. This is done in band and band date order as per the Housing Register and Nominations Policy.
- 1.8 As part of the application and nomination process, we undertook a telephone verification at the beginning when an application is received. This is followed up by a verification home visit prior to a nomination to an RP taking place. This currently happens with all housing register applications, even those transferring between properties belonging to the same RP. During Covid-19 restrictions we undertook telephone verification and had applicants provide the documents needed to confirm family makeup, income/savings, medical and tenancy details. It is suggested to implement this type of verification to transfer cases going forward. We still need a form of verification as it provides an opportunity for an applicant to be "prepped" for nomination. This includes checking and confirming areas of choice, expectations and their readiness to move swiftly.

2 Relevant Council policy

- 2.1 The Corporate plan, a strong, safe, and healthy community within which we increase the supply of affordable homes and reduce rough sleeping.

3 Details

- 3.1 In trying to ensure anyone in need has the opportunity for safe and secure housing, we have already completed the following:

- Implemented a new housing system, Housing Jigsaw, to speed up and make the process of applying to join the housing register easier.
- Worked to the timeframes set out in legal agreements to shortlist applicants for new vacancies.
- Continued to work to the criteria set out in the Housing Register and Nominations Policy in terms of banding and eligibility.
- Continued to support the armed forces community in the district by awarding additional preference to eligible households applying for housing, as we committed to by signing the Armed Forces Covenant.
- Provide accurate reports to Registered Providers and developers of the level of demand for different types of affordable accommodation in specific areas within the district.

3.2 A renewal application form was sent to each household on the housing register (apart from those in temporary accommodation) which required an update on their housing situation. The purpose of this is two-fold, ensuring the most up to date information and contact details are held and confirming if they are still in housing need. By February 2021 there was a 14% reduction in numbers on the housing register as a result of updated information being provided. We are currently exploring the frequency in which to renew households' housing register applications, plus the most efficient way to do this. We would like to use the Council's custom built housing system, Housing Jigsaw, to do this and are currently working with the developer to achieve this.

3.3 The changes that are being proposed are:

3.3.1 **Prioritise transfer cases into new build properties** – As the Council is facing a shortage of new build properties for the next 2-3 years, we would like to maximise the number of properties given to the Council. This will increase the amount of nominations for those on the housing register as every new build nomination generates at least two tenancy starts rather than one. We must work with our RP colleagues to ensure that they know the new process.

3.3.2 **Reduce verification visits for transfer cases**– RP's are best placed to know their tenants best. As such if a tenant is transferring between RP properties it is proposed that we no longer undertake a full home visit verification visit. Instead, we would complete a phone call verification assessment and have relevant documents provided to enable the nomination to take place. This replicates how verification as undertaken during COVID restrictions. We will also work with our RP's to ensure that they are also checking in with their tenants to help them to move into their new property with minimal disruption.

3.3.3 **One offer of accommodation** – We are recommending reducing the number of suitable offers made to households on the housing register from two to one. All offers must be suitable in accordance with Part VI of the Housing Act but it is considered that having two offers of accommodation a) encourages households to refuse suitable offers in the hope the second offer might provide an enhancement over the first offer, b) doesn't support the reality that demand overwhelmingly outstrips demand, c) provides an additional administrative burden upon the team to provide further nominations to refused properties. We will communicate with the

customer at all points of the housing application process to ensure that they are fully aware of the implications of refusing a suitable property without good reason.

- 3.3.4 Increasing areas of choice, more specifically within Horsham Town** - To enable households to have more choice on their location within our largest town we will change Horsham Town from being split into two areas into five areas enabling more choice. The change would see Horsham Town amended from East and West five areas made up of Denne, Forest, Trafalgar, Holbrook, Roffey. This will reduce refusal rates. When this change has been made, to monitor the amount of customers accessing the Council's housing register to ensure that the already oversubscribed housing register is not being stretched further.
- 3.3.5 Increase the disqualification income criteria** - The introduction to the housing section of the Council's draft local plan states that house prices are 13 times greater than the median income. The average wages for females in 2021 was £35.6k and males was £37.5k. With this in mind we propose to increase the disqualification criteria from £30k for singles to £40k (£60k to remain for couples). This will better reflect wages in the Horsham District and allow more people to access the housing register in reasonable preference bands. When this change has been made, we will monitor the number of customers accessing the Council's housing register to ensure that the already oversubscribed housing register is not being stretched further.
- 3.3.6 Reasonable preference for Domestic Abuse victims who only have a connection to one area and having to flee there** - As part of the Domestic Abuse Act 2021 it is recommended that Councils make adjustments to housing policies to accommodate victims of domestic abuse that are having to flee their homes as a result of abuse. If a household does not have a local connection to any other area and can't return, they shouldn't be disqualified from the housing register, especially as in homeless legislation local connection can't apply to those fleeing Domestic Abuse. We will ensure that our partners including Safe In Sussex and Worth Services are made aware of this change to prove that we are embracing the new law in further accommodating Domestic Abuse victims that only have a local connection to one area and that are having to flee there.
- 3.3.7 Discharge the homeless relief duty into Part 6 accommodation** – We are proposing to reduce the number of cases that proceed through the homeless process that have had a suitable offer of accommodation made to them. This will allow the Council to discharge homeless duties for those to refuse suitable affordable accommodation at the relief duty stage, meaning they will not progress on to main duty and stay in temporary accommodation for long periods. This decision will be explained to the customer within a legally challengeable letter.

4 Next steps

- 4.1** The proposed changes have been subject to consultation. All Registered Provider partners operating within the district were contacted for their views of the proposed

changes in addition to a consultation document being live on the Councils website throughout the summer.

- 4.2 There will be a phased implementation of the proposed changes if agreed by Council with some requiring system updates such as the changes to areas of choice.
- 4.3 The proposed changes have been subject to an Equality Impact Assessment which is attached in appendix A.
- 4.4 Cabinet is recommended to approve the changes to the Housing Register and Nominations Policy which will be presented to Council for their approval. All comments and amendments will be considered as appropriate.

5 Views of the Policy Development Advisory Group and Outcome of Consultations

- 5.1 The above proposals were presented to the Housing and Public Protection Policy Development Advisory Group on 26 April 2022 and shared via e-mail with group members following the postponement of the PDAG scheduled for 13 September 2022. Members were supportive of the proposals and understand that the Council has a small number of properties to offer and they will be allocated appropriately to those in need in band and band date order, considering the needs of the applicant in terms of size, area of choice and medical needs.

6 Other courses of action considered but rejected

- 6.1 Giving households the option of choosing flats, houses, bungalows etc. The Housing Service felt that by giving households too much choice, void periods for flats would increase as most households would like a house or a bungalow. Also, for areas that do not have much affordable housing stock, it would be impossible for someone who chose a specific property type to be housed.
- 6.2 Discharging the main housing duty for homeless applicants into the private rented sector - It was felt that this is not a long-term solution for housing and that the cycle of homelessness would increase. Whilst some successfully manage private rented accommodation, we also support a vulnerable client group that cannot manage tenancies without significant assistance. It was felt that by forcing customers into private rented properties this would not improve the Council's relationship with private landlords or tenants.
- 6.3 Prioritising temporary accommodation applicants into new build properties – it was felt that this would incentivise the idea of applying to the Council as homeless if the outcome following the homeless approach was a new build property, therefore the department decided it was better to prioritise transfer cases from RP accommodation.

7 Resource consequences

- 7.1 There are no staffing consequences at this stage as the review of the policy in the first 18 months will be met within the current staffing structure. There will be cost

implication of £500 as we will need to write out to all households on the Council's housing register to ask for their revised areas of choice in Horsham. There will also be a cost implication to changing the areas of choice as our case management system will be £625. Both can be absorbed within existing budgets.

8 Legal considerations and implications

8.1 Section 166A(1) of the Housing Act 1996 (as amended) ('the Housing Act 1996') requires every local housing authority to have a scheme for determining priorities and the procedure to be followed in allocating housing accommodation. 8.2

Section 166A(14) of the Housing Act 1996 requires that a local housing authority shall not allocate housing accommodation except in accordance with its allocation scheme.

8.3 Section 166A(12) of the Housing Act 1996 also provides that Local Housing Authorities must, in preparing or modifying their allocations scheme, have regard to: a) their current homelessness strategy under section 1 of the Homelessness Act 2002 and b) their current tenancy strategy under section 150 of the Localism Act 2011.

8.4 Relevant documents for the purposes of Section 166A(12) of the Housing Act 1996 are Horsham District Council's Tenancy Strategy, Housing Strategy and Homelessness Prevention Action Plan and regard has been given to them in the preparation of the Housing Register and this Nominations Policy, referred to as 'the HDC Nominations Policy'.

9 Risk assessment

9.1 There are no risks associated with this change

10 Procurement implications

10.1 There are no procurement implications.

11. Equalities and Human Rights implications / Public Sector Equality Duty

11.1 All equality groups are affected as clients on the Council's housing register are vulnerable by virtue of their various housing needs. The changes to the housing register are not considered to be directly or indirectly discriminatory as these are changes that reflect the shortage in affordable housing and give a more realistic view.

12 Environmental implications

12.1 There are no environmental implications.

13 Other considerations

13.1 There are no other considerations.

