

<b>Report of</b>	<b>Head of Commercial Services</b>	<b>Author</b>	<b>Tina Hinson</b>
<b>Title</b>	<b>Review of Gateway to Homechoice Allocations Policy</b>		
<b>Wards affected</b>	All wards		

**This report concerns amendments to the Allocations policy for social housing covering the 8 authorities within the 'Gateway to Homechoice' scheme.**

**1. Decision(s) Required**

- 1.1 To approve the revised [Allocations Policy](#) (Appendix A)

**2. Reasons for Decision(s)**

- 2.1 To ensure that the Allocations Policy complies with current legislative requirements and changes to regulations.
- 2.2 To ensure that the policy remains up-to-date, relevant and contributes to the Council's ambitions for affordable housing and tackling homelessness.

**3. Alternative Options**

- 3.1 The current Allocations Policy could be kept unchanged. However, this could leave Colchester Borough Council and the other council's open to legal challenge from applicants as the policy would not comply with new regulations that were introduced by the Government in April 2015.

**4. Supporting Information**

- 4.1 Choice Based Lettings (CBL) is the way we allocate homes to people seeking housing from the Council or from a Registered Provider (RP). Rather than the Council attempting to match an applicant to an empty property, choice-based lettings allows people seeking housing to bid for homes that are advertised by the landlord. The applicant with the highest priority, who has been waiting the longest and has bid for a given property, will generally be made the offer.
- 4.2 Gateway to Homechoice was launched in May 2009 covering seven of the Greater Haven Gateway authorities (Babergh, Braintree, Colchester, Ipswich, Maldon, Mid-Suffolk, Suffolk Coastal). Waveney District Council joined the scheme in 2011. Working in partnership with the other authorities makes it more cost effective and gives a wider range of choice to those applying for housing.
- 4.3 The scheme has one Allocations Policy which sets out which properties applicants are eligible for, the priority applicants are awarded to reflect their need for housing and how the policy works.

- 4.4 An Allocations Policy is a legal requirement for bodies allocating affordable and social housing. Some categories of applicants are given preference under legislation (called reasonable preference categories). These include those with medical or welfare needs to move, homeless households and those living in overcrowded or unsuitable conditions. Other categories of applicants can then be given preference to reflect local circumstances, for example under the existing policy preference is given to existing tenants wanting to move to a smaller property.
- 4.5 Anyone over the age of 16 can make an application to join the housing register. However not everyone who makes an application will be *eligible* to join the housing register. Colchester Borough Council and the other partner local authorities are not able to allow an applicant to join the housing register if they are not eligible. The eligibility criteria for joining the housing register are as follows:
- The main applicant must not be subject to immigration control or be a person from abroad, unless they are a 'qualifying person'. They must pass the habitual residence test (as defined in section 161 of the Housing Act 1996 and meet the criteria in SI 2006/1294 - Allocation of Housing and Homelessness (Eligibility) Regulations).
  - The main applicant and their household must be resident in the UK or the Common Travel Area. (The Common Travel Area includes the United Kingdom, Republic of Ireland, Channel Islands and Isle of Man).
  - If an applicant is 16 or 17 they will not be offered a tenancy unless they have a guarantor. This could include an applicant whose partner is 18 or older.
- 4.6 In addition to eligibility criteria, applicants will have a local connection to the area of operation of Gateway to Homechoice if they meet one or all of the criteria below:
- Their only or principal home is within the boundaries of the district or borough covered by the scheme.
  - They were placed in specialised housing which is not available in the area of the scheme, but had a local connection previously through residence.
  - They (not a member of their household) are in permanent paid work in one of the partner districts or boroughs.
  - They have a son, daughter, brother, sister, mother or father, who is over 18 and lives in the area of the scheme, and has done so for at least five years before the date of application.
- 4.7 The following people will also have a local connection to the Gateway area of operation if:
- The main or joint applicant is serving in the regular forces or who has served in the regular armed forces within five years of the date of their application
  - The main or joint applicant has recently ceased or will cease to be entitled to reside in accommodation provided by the Ministry of Defence following the death of that person's spouse or civil partner where the spouse or civil partner has served in the regular forces and their death was attributable (wholly or partly) to that service
  - The main or joint applicant is serving or has served in the reserve forces and is suffering from a serious injury, illness or disability which is attributable whether wholly or partly to that service

4.8 An applicant will lose their local connection if:

- Since applying to join the register they have moved outside the Gateway area of operation and no longer meet any other local connection conditions.
- They had a local connection through a close relative but the relative no longer resides in the area.
- They had a local connection through their employment but this no longer applies.

4.9 Each applicant's connection to the area of operation of the scheme will be assessed on an individual basis. Applicants who do not have a local connection are permitted to join the Housing Register but once their housing needs have been assessed, they will be placed in the band that is one lower than if they had a local connection. For example, if someone is assessed and their housing needs mean that they would ordinarily be placed in Band C, if they don't have a local connection to one of the districts or boroughs they will be placed in Band D instead.

4.10 Controls are in place to ensure that no more than a certain proportion of homes in one council area can be allocated to households moving in from other council areas within Gateway to Homechoice. Regular reviews are carried out to monitor both inward and outward migration and for Colchester there have been more Colchester applicants moving out of the area than moving in from the councils in the Gateway to Homechoice partnership. This suggests that local households are getting the maximum benefit of mobility and having their housing need met.

4.11 The original policy was devised through consultation with members, applicants, tenants and partner organisations during 2008. The policy was reviewed in 2011 and minor changes were approved. In 2012 there were a number of changes made to the Policy as a result of new legislation and a code of guidance on allocation of accommodation. The revised policy was approved by Cabinet.

4.12 **Review process** - The Gateway to Homechoice Project Board, supported by the Gateway to Homechoice Operational Group, undertook the review with a remit to:

- Analyse trends and data from the housing register and lets.
- Establish the key areas of consideration for the review.
- Consult with frontline staff.
- Consult with Registered Providers (RPs).
- Obtain approval for the revised policy from each of the Local Authority partners.
- Implement appropriate changes, including changes to the Gateway to Homechoice IT system.
- Adopt the new policy.

4.13 **Outcome of the 2015 Review** There are no changes to key policy decisions. Any recommended changes do not have an impact on those who are already on the housing register and do not restrict the eligibility of prospective applicants. A number of minor changes have been made to the policy to ensure the policy complies with current regulations as well as technical changes which seek to clarify wording. Full details of recommended changes are in Appendix B.

- **Addition of policy response to Right to Move regulations** – These regulations seek to enable existing social tenants who need to move to take up work, to do so. Applicants also need to demonstrate, in accordance with the regulations, that if they did not, it would cause them hardship. These applicants are not subject to the usual local connection restrictions.

- **Removal of procedures throughout the policy** – The previous version of the policy included procedures, these have now been removed. The procedures were there as a guide for officers. This has made the policy clearer for applicants, and made it shorter.
- **Clarification on bidding restrictions** – Some applicants (such as homeless households to whom the Council has accepted a housing duty) are only allowed to bid on properties within a certain area or for a certain time period. These are known as bidding restrictions and the wording in the policy has been clarified. The wording for the penalties available (called sanctions in the policy) to local authorities (such as bidding on an applicant's behalf) has also been clarified. .
- **Clarification of reviews and appeals** – These terms had been used interchangeably in previous versions of the policy but these terms have now been clearly defined

## **5. Proposals**

- 5.1 To adopt the new Allocations Policy as at [Appendix A](#)
- 5.2 Full details of recommended changes are in [Appendix B](#). The main suggested amendments are the removal of the working procedures which were included in previous versions of the policy; the addition of wording to ensure the policy is compliant with the right to move regulations and technical clarification of wording.

## **6. Strategic Plan References**

- 6.1 The Allocations Policy will help to achieve the following goals from the Council's Strategic Plan 2015 - 2018:
  - Provide opportunities to increase the number of homes available including those that are affordable for local people and to build and refurbish our own Council houses for people in significant need.
  - Be clear about the major opportunities to work in partnership with public, private and voluntary sectors to achieve more for Colchester than we could on our own.

## **7. Consultation**

- 7.1 Consultation regarding the new policy was undertaken with Register Providers, who were supportive of the changes to the Allocations Policy. The Allocations Policy was also shared with Colchester Borough Homes' (CBH) Board.

## **8. Publicity**

- 8.1 The revised policy will be advertised on the G2H web-site to make customers aware of the changes. Information will also be included in CBH's tenant newsletter and the Council's "Home View" e-newsletter. A link to the revised policy will be sent via email to Registered Providers and other partners to publicise the revised policy.

## **9. Financial Implications**

- 9.1 The proposed changes to the policy do not have any financial implications.

## **6. Standard References**

6.1 There are no particular references to the community safety; health and safety or risk management implications.

## **7. Equality, Diversity and Human Rights implications**

7.1 A revised equality impact assessment has been completed on the revised allocations policy. The assessment did not show any particular areas of concern of that those with protected characteristics would be unfairly disadvantaged under the updated Allocations policy. The EQIA can be found here [Equality Impact Assessment - Allocations Policy](#)

## **Appendices**

Appendix A – [The Allocations Policy](#) (or follow the pathway [www.colchester.gov.uk/Your Council/Committees, Agendas and Minutes/Cabinet/27 January 2016](http://www.colchester.gov.uk/Your-Council/Committees,Agendas-and-Minutes/Cabinet/27-January-2016))

Appendix B – [Detailed list of changes](#) ([www.colchester.gov.uk/Your Council/Committees, Agendas and Minutes/Cabinet/27 January 2016](http://www.colchester.gov.uk/Your-Council/Committees,Agendas-and-Minutes/Cabinet/27-January-2016))