

Housing Allocations Scheme Review

Housing & Neighbourhoods OSC

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Background

- It is a requirement under Part VI of the Housing Act 1996 as amended by the Homelessness Act 2002 and the Localism Act 2011 that all Local Housing Authorities must have and publish an Allocation Scheme and ensure that properties are allocated according to that Scheme.
- It is best practice to review Housing Allocation Schemes every few years to ensure compliance with the law and good practice and to ensure that the scheme is addressing housing need effectively.

Background - Continued

- Review on current Allocations Scheme completed in 2021
- Report of findings published in 2021 with the following recommendations:
 - Current Scheme needs updating to ensure compliance with legislation
 - Other minor adjustments are needed to improve clarity and allow for simplification of processes
 - Update nominations agreement to ensure compatibility with legislation

National Context

The Local Authority has;

- A duty to allow any member of the public to apply to join the scheme
- Power to have nomination agreements with Registered Providers
- Power to determine;
 - Qualification criteria for an allocation of social rented housing
 - The degree of choice offered, when making an allocation of social rented housing
 - Which applicants should be afforded an additional preference, when making an allocation of social rented housing
 - Prioritisation of applicants when allocating social rented housing

Reasonable Preference

The following persons are required in law to be given reasonable preference:

- People who are homeless
- People occupying insanitary or overcrowded or otherwise living in unsatisfactory housing conditions
- People who need to move on medical or welfare grounds, including any grounds relating to a disability
- People who need to move to a particular locality in the area, where failure to meet that need would cause hardship to them

Additional Preference

- People who are homeless owed the initial relief duty and in Temporary Accommodation
- People who are homeless owed the main housing duty
- People who are required to leave their home due to fire safety concerns
- People who are severely overcrowded
- People who require rehousing due to a compulsory purchase order
- People whose medical condition is expected to be terminal
- People who are ready to be discharged from hospital
- People leaving the care of Birmingham Children's Trust
- People approved to be a foster carer or to adopt
- Members of the armed and reserve forces
- Victims of domestic abuse
- Victims of racial harassment
- Victims of hate crime
- Witnesses of crime or victims of crime
- People escaping serious antisocial behaviour

Proposed Banding

- Band A - people who have an extreme need to move, due to being afforded a reasonable preference and an additional preference
- Band B - people who have an urgent need to move, due to being entitled to a reasonable preference
- Band C – people who need to move due to being entitled to a reasonable preference
- Band D - people who have:
 - exhausted the right to refuse an offer of accommodation
 - failed to bid where a suitable property would have been available

Proposed Main Changes - Qualification

	Current Scheme	Proposed Scheme
Local Connection	Local Connection of a minimum of 12 months is required	Local Connection of a minimum of 2 years is required
Homeowners	All Disqualified	To be disqualified except for minor exceptions i.e. CPO's, Prohibition Orders, DA etc.
Worsening Housing Conditions	No Provision	Disqualified

Proposed Main Changes – Banding

	Current Scheme	Proposed Scheme
Homeless Priority (those owed main duty, relief duty and in TA)	Band 2	Band A
Property subject to Compulsory Purchase Order/ LA approved Regeneration Scheme	Band 1 where the applicant is required to move within 6 months. Band 2 where the applicant is required to move within 12 months.	All Band A
Occupying PRS properties that are insanitary or unfit to align with other Tenures	Band 1	Band B
Child in need – Where staying in the property would be a risk to the child and the child is subject to a CPP	Band 2	Band A
Band D for refusals		New band for applicants who have reached their refusal limit

Consultation

12 week Consultation held with;

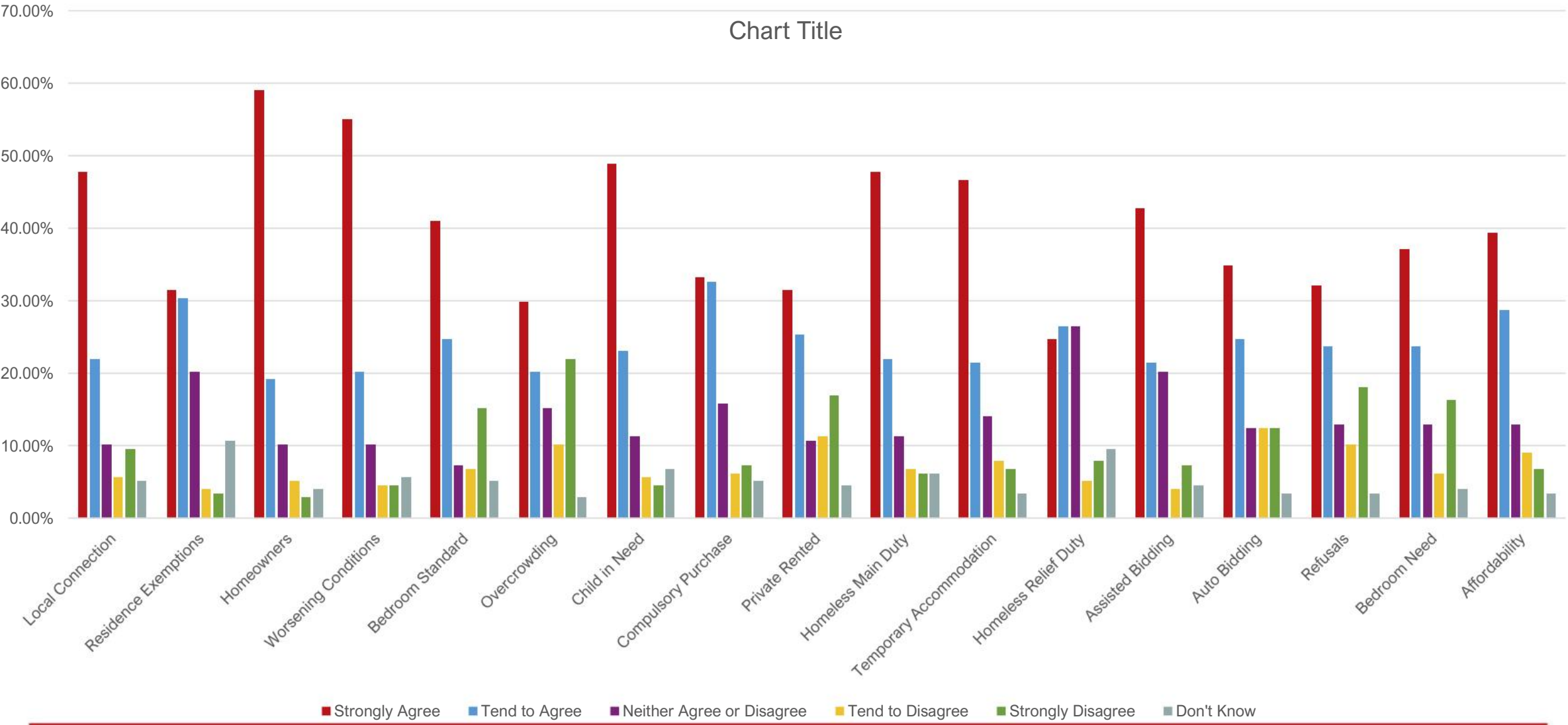
- Registered providers
- Stakeholders and Partner Organisations
- Service Users
- Residents
- West Midlands Combined Authorities
- Councillors
- Birmingham Children's Trust
- Adult Social Care
- Employees of Birmingham City Council

Consultation (Cont)

Key Findings;

- Majority of responses were positive and mainly in agreement with the proposed Policy.
- Initial feedback from Birmingham Children's Trust concerned the priority for a child in need. As such the proposed priority has been increased from Band B to Band A.
- For those who disagreed the main concerns were regarding the priority for overcrowding and bedroom need.
 - Comments suggested all applicants who are overcrowded should have the same priority.
 - Some respondents thought that all children should have their own bedroom regardless of age.

Consultation Feedback



Next Steps

- Report to Cabinet 22nd March 2022
- EIA presented to Star Chamber 24th March 2022
- Mobilisation to commence April 2022
- Scheme implementation date - Autumn 2022

Questions



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