

Report of	Meeting	Date
Assistant Chief Executive (Policy and Performance) (Introduced by the Executive Member for Business)	Executive Cabinet	1 October 2009

ALLOCATIONS POLICY

PURPOSE OF REPORT

1. To present the revised Allocations Policy for Chorley and update Members on the progress toward developing a joint allocations policy and Choice Based Lettings scheme between Chorley, South Ribble and Preston Councils.

RECOMMENDATION (S)

2. That the Allocations Policy be adopted as Chorley Council's Allocation Policy.

EXECUTIVE SUMMARY OF REPORT

3. Chorley Council's Allocations Policy sets out how vacancies for social rented housing for which the Council has nomination rights will be dealt with. It establishes a system for assessing housing need to ensure that those in highest need receive priority. It also contains procedures to ensure that suitable accommodation is offered to applicants.
4. The policy introduces a simple banding system, which uses colours to identify between different priority groups.
5. The Policy clearly sets out the procedures involved in allocating housing vacancies, and how applicants will be treated, including how they can request a review of decisions made.

REASONS FOR RECOMMENDATION(S)

(If the recommendations are accepted)

6. The Housing Act 1996, as amended by the Homelessness Act 2002, requires the Council to make all allocations and nominations to social housing in accordance with a published allocations scheme. The legislation requires that local authorities give reasonable preference to people in certain circumstances. This policy ensures that the scheme is legally compliant and fit for purpose.
7. This Allocations Policy is easier to administer than the existing points system and it is much easier for customers to understand.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

8. Continuing to use Chorley Council's current Allocations Policy. This would delay the Council moving toward a banding system, which is now seen as best practice. Implementing the local policy first will mean that the Council is able to prepare more effectively for the introduction of Choice Based Lettings.

CORPORATE PRIORITIES

9. This report relates to the following Strategic Objectives:

Put Chorley at the heart of regional economic development in the Central Lancashire sub-region		Develop local solutions to climate change.	
Improving equality of opportunity and life chances		Develop the Character and feel of Chorley as a good place to live	✓
Involving people in their communities		Ensure Chorley Borough Council is a performing organization	

BACKGROUND

10. The Executive Cabinet approved a draft allocations policy for Chorley in December 2008. It changed original allocations scheme from points based to a banding system. This was to ensure that the Council's policy was legally compliant. This new policy was then subject to consultation with stakeholders. The feedback from the consultation has led to changes been made to the draft policy.
11. The finalised Allocations Policy is included as Appendix 1 of this report.

RESULTS OF THE CONSULTATION

12. The Allocations Policy has been subject to consultation with local stakeholders, including the main local registered social landlords. The feedback included comments about giving customers who had a good tenancy history with no priority but who wished to transfer, some priority within the scheme. Customers whom we spoke to welcomed the simple banding system in place of the complex points system. A summary of the consultation is available upon request. In response to the consultation, a community priority element was introduced into the Orange band, giving transfer customers who have been recognised as meeting the positive community criteria, additional priority.

MAIN ELEMENTS OF THE ALLOCATIONS POLICY

Eligibility

13. Any UK resident aged 16 years or over may apply for the scheme, although a housing association will not normally grant a tenancy to anyone under the age of 18 unless they are able to provide a guarantor to cover rent and a support worker.
14. Some people are deemed by the Housing Act as ineligible to be apply. These are; persons from abroad who are subject to immigration control, people who are not habitually resident of the Common Travel Area (which includes England, Wales, Northern Ireland, Isle of Man, Republic of Ireland and Channel Islands) any other persons prescribed by the Secretary of State or where an applicant or member of their household is considered to be guilty of unacceptable behaviour serious enough to make them unsuitable to be a tenant. Unacceptable behaviour is set out in the policy and would include very serious anti social behaviour and each case is to be considered on its own merits. Customers who have a history of 'bad tenancies' but where this would not be sufficient for an outright eviction, will be given opportunity to address their behaviour and may be given reduced priority while rent arrears or other tenancy issues are resolved.

Making an application

15. Every applicant will receive an application pack, including an application form and summary of the Allocations Policy. If necessary, they will be given support to complete the application form.
16. Applications will be then be assessed and placed into the banding system, based on their housing need.

Banding

17. Following assessment, eligible applicants will be put into five priority bands for housing, based on their circumstances. The bands will be as follows:
 - **Blue band:** This band is for applicants who are in urgent need and given additional preference. This category would include, for example, applicants with a serious medical condition, households who are defined as statutorily overcrowded in the Housing Act 2004, households in unsanitary accommodation or 16 and 17 year old care leavers who are threatened with homelessness.
 - **Red band:** This band is for applicants who are high need and are given reasonable preference. It would include, for example, homeless households who are owed the full homeless duty, or applicants living in unsatisfactory housing that lacks basic facilities.
 - **Green Band:** This band is for applicants who have recognisable need and are given reasonable preference. This would include, non-priority homeless applicants or applicants aged over 60 who are seeking sheltered accommodation.
 - **Orange Band:** This band is for applicants who are assessed as owed reasonable preference, but who have reduced preference under the policy due to rent arrears, behaviour, no local connections, savings, equity or earnings, or where two offers have been refused. This band also includes those who are not in any of the reasonable preference groups, however they meet a recognised 'community' criteria as specified within the policy. This will include applicants who can demonstrate having a good tenancy history and/or positive contribution to the local community including volunteering or membership to a local community group.
 - **Yellow Band:** This band is for applicants with no recognisable housing need. This is for all other applicants who do not qualify for the other bands, but would like to move to alternative accommodation or cases where an applicant is considered to be guilty of unacceptable behaviour serious enough to make them unsuitable to be a tenant but the Council believes that the applicant or member of their household is willing to take action to address the concerns. In such cases, the applicant will be registered, but receive no preference until they have resolved the behaviour to the satisfaction of the Council.
18. Each application will be reviewed at least annually to determine whether the applicant wishes to remain on the register, or their circumstances have changed.

Lettings Criteria

19. Lettings will be allocated according to an established procedure:
 - The first available vacancy will be matched against the applicant in the highest band.
 - Where two or more applicants have the same band, the date that the applications were effective for that band will be used to determine who will be considered for the nomination.
 - An assessment will be made to determine if the property is suitable and reasonable for the applicant and their household.
 - If the property is suitable, the applicant's preference for areas will be considered.
20. If the property is not suitable for the applicant with the highest need, it will be matched against other applicants in descending order until a suitable allocation is found.

21. In certain cases, ie where there are local lettings policies in place, properties may be allocated to certain bands or groups within bands, for example Orange band for those who meet the positive community criteria or a specifically adapted property.
22. In some exceptional circumstances, the Council may allocate vacancies not based on the banding. These emergency cases are set out in the policy and would include cases affected by flood, fire or other disaster, Police witness protection or a case of domestic abuse. All such cases will be assessed through the Housing Welfare Panel to ensure objectivity and clear accountability.

IMPLICATIONS OF REPORT

23. This report has implications in the following areas and the relevant Corporate Directors' comments are included:

Finance		Customer Services	
Human Resources		Equality and Diversity	√
Legal	√	No significant implications in this area	

COMMENTS OF THE ASSISTANT CHIEF EXECUTIVE (POLICY & PERFORMANCE)

24. In line with the Council's Equality Scheme, the Allocations Policy has been Equality Impact Assessed. The assessment demonstrates that as well as upholding our statutory requirements around the Homelessness Act (2002), the Policy actively promotes equality in access to social housing for vulnerable people. The only recommendation arising from the assessment is that the Council should actively work with RSLs to review their local lettings policies every twelve months, to ensure that they do not directly or indirectly discriminate against certain customer groups.

COMMENTS OF THE CORPORATE DIRECTOR OF GOVERNANCE

25. Legal Services were consulted and have had input into the policy.

LESLEY-ANN FENTON
ASSISTANT CHIEF EXECUTIVE (POLICY AND PERFORMANCE)

There are no background papers to this report.

Background Papers			
Document	Date	File	Place of Inspection
Chorley Draft Allocations Policy	December 2008	Allocations Policy	Strategic Housing, Union Street

Report Author	Ext	Date	Doc ID
Zoë Whiteside	5711	11 th August 2009	Allocations Policy Report