

# WIRRAL COUNCIL

## DELEGATED AUTHORITY

8<sup>TH</sup> OCTOBER 2014

<b>SUBJECT:</b>	<b><i>REVISED PROPERTY POOL PLUS ALLOCATIONS POLICY</i></b>
<b>WARD/S AFFECTED:</b>	<b><i>ALL WARDS</i></b>
<b>REPORT OF:</b>	<b><i>KEVIN ADDERELY</i></b>
<b>RESPONSIBLE PORTFOLIO HOLDER:</b>	<b><i>COUNCILLOR GEORGE DAVIES</i></b>
<b>KEY DECISION?</b>	YES

### 1.0 EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to receive approval of the draft revised Property Pool Plus allocations policy as attached Appendix A to this report.
- 1.2 The report sets out the reasons for amending the Merseyside Sub Regional (Property Pool Plus) housing allocations policy which have been prompted primarily by government and legislative changes affecting housing allocations, but also need to make amendments to reflect lessons learned during the first year of operation of Property Pool Plus.
- 1.3 The revised Property Pool Plus policy as attached at Appendix A.
- 1.4 The Cabinet portfolio holder is recommended to authorise the implementation of the revised policy subject to the unanimous agreement of each Local Authority at their corresponding approval processes (subject to individual Council arrangements).
- 1.5 The Cabinet portfolio holder's attention is drawn to the fact that Knowsley, Halton and Sefton Council's have already approved the policy changes and no further amendments have been proposed.

### 2.0 BACKGROUND AND KEY ISSUES

- 2.1 Property Pool Plus was introduced across Halton, Knowsley, Liverpool, Sefton and Wirral in July 2012. The allocations scheme operates a Choice Based Lettings system with one common allocations policy.
- 2.2 The existing Policy was updated in January 2013, in response to new legislation and statutory guidance introduced by Government in relation to the treatment of Armed Forces personnel, and the need to remove 'local connection criteria' for any armed forces applicants. A report was written and a delegated decision was approved by the Cabinet Member for Housing and Regeneration on the 17<sup>th</sup> January 2013. The report also indicated;

*Further changes to the Policy are being considered as a consequence of new freedoms contained in the Localism Act 2011, and recent revisions to the Housing Allocations Code of Guidance. Additionally changes necessary to clarify and improve the existing Policy have also come to light since the scheme went live, and it is therefore proposed that the partner authorities collaborate on a common consultation exercise to consider a range of issues.*

The report recommended that:

*Cabinet approves the undertaking of consultation for the purposes of further amending the Housing Allocations Policy.*

The delegated decision was not called in and was effective from the 25<sup>th</sup> January 2013.

### **3.0 CONSULTATION AND SUMMARY OF THE PROPOSED POLICY CHANGES**

3.1 Consultation on the potential areas of change to the policy took place between January and April 2014. The proposed areas considered for change included:

- Applicants deemed to be non qualifying
- Applicants deemed to be in reduced priority (Band F)
- Armed Forces personnel
- Homelessness
- Employment
- Bedroom Standard

3.2 The consultation process targeted a broad range of stakeholders and details of the consultation responses are outlined in the table below:

Respondent	Wirral Responses	Overall Sub-Regional Responses
Member of the public	21 (19%)	109 (23%)
Applicant on the Property Pool Plus register	74 (67%)	290 (61%)
Local Authority Councillor	2 (2%)	12 (2%)
Representing a Registered Housing Provider	5 (5%)	23 (5%)
Representing a support / Plus Register advocacy organisation	2 (2%)	18 (4%)
Other	6 (6%)	26 (5%)
<b>Total</b>	<b>110</b>	<b>478</b>

Consultation responses identified that the majority were in favour of each of the proposed changes to the policy, both in Wirral and across the sub region generally. Consequently all of the key proposals have been incorporated into the revised draft of the policy. Some of the key amendments are highlighted below:-

#### **3.3 Applicants deemed to be non-qualifying/qualifying to join the PPP Housing Register (Chapter 3 of the PPP Policy)**

This is the most significant change in the policy and is a requirement made necessary by provisions contained within the Localism Act and in the revised Code of Guidance for the Allocation of Social Housing. Previously local authorities have had to have an open register and could only deny access to the register on the grounds of immigration status or an applicant or a member of their household being guilty of unacceptable behaviour serious enough to make them an unsuitable tenant. Under the revised guidance it will be possible to refuse access to the register on the basis of the following:-

- Rent arrears and/or a housing related debt equivalent to or greater than 8 weeks gross rent.
- Eviction from a social housing tenancy.
- Abandonment of a social housing tenancy.
- Applicant or a member of their household has displayed conduct likely to cause significant nuisance or annoyance within the locality (anti-social behaviour).
- Applicants or anyone included on the application form who has been convicted of a serious assault on an individual.
- Applicants or anyone included on the application form who have been convicted of the use or possession of offensive weapons (e.g. gun crime/knife crime)
- Applicants or a member of their household who have been convicted for using the premises or allowing the use of the premises for immoral or illegal purposes e.g. the manufacture or sale or supply of drugs.
- Abusive or threatening behaviour toward members of staff.
- Failure to maintain existing social housing tenancy in a reasonable condition.

### **3.4 Applicants deemed to be in reduced Priority (Band F) for rehousing (See Section 3 of the PPP Policy)**

- Applicants with housing related debt equal to or greater than four weeks gross rent but less than eight weeks gross rent will be awarded reduced priority (Band F) thus reducing their priority for housing but not preventing them joining the register, where they will remain until the debt is reduced to less than four weeks. Account will be taken of arrears arising due to a consequence of Welfare Reform, delayed payment of Housing Benefit and Universal Credit.

Applicants deemed to have deliberately worsened their housing circumstances in order to gain a priority band will be placed in reduced priority (Band F) for a period of twelve months.

### **3.5 Better Support for Armed Forces and reserve Personnel (Section 5 of the PPP Policy)**

- Those applicants that meet the criteria for Housing Priority Band A and who are Armed Forces personnel (or bereaved spouses or partners leaving forces accommodation) will have their priority banding effective date backdated by three months.
- Those Armed Forces personnel who apply up to three months prior to their discharge date, or up to twelve months after discharge, and who do not qualify for priority Band A, will be assessed as priority Band B.

### **3.6 Changes on responding to Homelessness Applicants**

- Where Councils choose to help homeless applicants in Band A by offering private rented accommodation, refusal of a suitable offer will result in loss of Band A status in the same way it would in the case of refusing a social housing tenancy.
- Applicants being assisted under homeless prevention initiatives (where a Council has a duty to help them) will be placed in Band B to improve their prospects of being housed before homelessness occurs.

### **3.7 Changes to the Bedroom Standard (Section 5 of the PPP Policy)**

- An additional bedroom will be allowed for:
  - A child with disabilities who is entitled to the care component of Disability Living Allowance at the highest or middle rate and who cannot reasonably share a bedroom;
  - A foster child, where it is a requirement of the Local Authority that they have a separate bedroom;
  - A non-resident carer who is regularly required to stay overnight to attend to an applicant's personal care/health needs.
- 16-20 year olds of the same gender, sharing a room, as in the existing policy will not be classed as overcrowded. Such households will however be deemed eligible to bid for accommodation of a size to enable 16 to 20 year olds to have their own room.

3.8 A full list of the proposals which were put forward and supported through consultation can be seen in the consultation questionnaire (Appendix B)

## **4.0 RELEVANT RISKS**

4.1 As a consequence of revising the allocations policy it will be important to monitor the impact of the proposed changes as the revised policy is implemented. This will be carried out by the sub regional Contract Board.

4.2 In order to ensure that the policy is applied consistently across the sub region, a training plan will be agreed by the contract Board which contains members from all partner Local Authorities. This training program will subsequently be rolled out ahead of the new policy being introduced.

## **5.0 OTHER OPTIONS CONSIDERED**

5.1 A full range of options were considered during the consultation process as identified in Appendix B to this report.

## **6.0 CONSULTATION**

6.1 The sub regional co-ordinated consultation on the revision of the existing allocations policy took place between January and April 2014 following a delegated decision made on 17<sup>th</sup> January 2013 to approve future consultation.

## **7.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS**

- 7.1 The proposed revisions will need to be communicated to Voluntary, Community and Faith Groups in order that clients can be supported sufficiently. Following approval of the revised policy this will be made possible by consistent communication on all partner Council websites and through the Property Pool Plus homepage.
- 7.2 Elected Members will also be provided with a summary of the key changes to the revised policy so that these can be made available to constituents within their Wards if required.

## **8.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS**

- 8.1 The proposed revisions to the allocation policy will require some minor modification to the web based allocations system. This will be met from the existing budget for the PPP Service of which this cost is shared on the basis of 71% contributions from local Register Provider partner contributions and 29% from the Council.
- 8.2 There will be a requirement for participating allocations staff to be retrained following the launch of the revised policy. This will be undertaken by the Property Pool Plus Team.
- 8.3 There are no IT implications for the Council arising from this report. The Property Pool Plus portal is web based and hosted by a third party; Abris. As such any IT implications arising from the recommendations will be managed by Abris.

## **9.0 LEGAL IMPLICATIONS**

- 9.1 The allocation policy must meet legal requirements which must afford a reasonable preference to certain categories of person. The categories are listed within policy document Appendix A and have been amended since the original allocation policy was introduced. The recommendation to approve the revisions to this policy is required in order to ensure the policy continues to meet the legal requirements.

## **10.0 EQUALITIES IMPLICATIONS**

- 10.1 It is anticipated that the majority of the proposed revisions to the allocations policy will have a positive impact on residents in the borough however some protected characteristics could be impacted negatively by the changes to the policy. A full Equality Impact Assessment (EIA) was conducted on a sub regional basis in July 2013 taking into consideration all of the proposed revisions to the policy.
- 10.2 The full impact assessment can be seen at <http://www.wirral.gov.uk/my-services/community-and-living/equality-diversity-cohesion/equality-impact-assessments/eias-april-2014/eias-regeneration-envir>

## **11.0 CARBON REDUCTION IMPLICATIONS**

- 11.1 There are none

## **12.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS**

- 12.1 There are none

### 13.0 RECOMMENDATION/S

- 13.1 Members are requested to consider the revised Property Pool Plus policy as attached at Appendix A.
- 13.2 Members are recommended to authorise the implementation of the revised policy subject to the unanimous agreement of each Local Authority at their corresponding approval processes (subject to individual Council arrangements).

### 14.0 REASON/S FOR RECOMMENDATION/S

- 14.1 The report sets out the reasons for amending the Sub Regional Property Pool Plus allocations policy which were prompted primarily by government and legislative changes affecting housing allocations, but also need to make amendments to reflect lessons learned during the first year of operation of Property Pool Plus.

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### APPENDICES

Revised Allocation policy (Appendix A)  
Consultation Questionnaire (Appendix B)

### REFERENCE MATERIAL

*Allocation of Accommodation: guidance for local housing authorities in England, Communities and Local Government, 2012*

### SUBJECT HISTORY (last 3 years)

<b>Council Meeting</b>	<b>Date</b>
<b>Delegated Authority: Amendments to Property Pool Plus allocation policy.</b>	<b>17/1/2013</b>
<b>Cabinet: Choice Based Lettings</b>	<b>17/3/2011</b>