

# **WAVERLEY BOROUGH COUNCIL**

**EXECUTIVE – 6 OCTOBER 2015**

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**Title:**

**UPDATE ON WAVERLEY'S HOUSING ALLOCATION SCHEME**

**[Portfolio Holder: Cllr Carole King]**

**[Wards Affected: All]**

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**Summary and purpose:**

To provide members with an update on implementation of the Council's Allocation Scheme which was introduced in January 2013.

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**How this report relates to the Council's Corporate Priorities:**

This report relates to Understanding Peoples Needs and Affordable Housing priorities.

**Financial Implications:**

The report highlights the impact on debt collection.

**Legal Implications:**

Under the Housing Act 1996 Part VI, Councils are required to publish an Allocation Scheme to determine who is prioritised for social housing.

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**Introduction**

1. Waverley introduced its revised Allocation Scheme in January 2013 making use of the freedoms set out in the Localism Act 2011 to limit access to Waverley's Housing Register to those in most housing need and who have a local connection to Waverley.
2. This has been achieved by strengthening the entry criteria and pre-registration checks. New financial thresholds on household income and savings have been included and requirements that applicants adequately address their current and previous debts to the Council.
3. However, in amending the Allocation Scheme, care was taken to ensure that it continued to support the Council's work in preventing homelessness.

**Key Outcomes**

4. The number of households on Waverley's Housing Register has considerably reduced since 2012, as shown in the table below. This was as a result of the removal of applicants who had no housing need or local connection with Waverley.

	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>
<b>Number of households on Housing Register as at 1 April</b>	<b>3506</b>	<b>1766</b>	<b>1750</b>	<b>1558</b>
<b>Of which, not currently living in social housing</b>	2697	1350	1340	1225
<b>Of which, living in social housing</b>	809	416	410	333

5. With the introduction of the revised Allocation Scheme, the registration process has been changed to a two stage process. Potential applicants complete a pre-registration form to provide an earlier indication of eligibility or non-eligibility, ahead of completing the full Housing Register application.
6. The pre-registration process has recently become available as an online form that cannot be submitted without all of the required information being provided. To ensure that customers without internet access are not disadvantaged, arrangements for the assessment of hard copy forms will still be retained.
7. When an application is received checks are made with the Council's Council Tax, Debtors and Rents teams to ensure that applicants have either cleared or maintained agreed repayment arrangements for debts to Waverley.
8. Over the past six months, a member of the Housing Options Team has had responsibility for proactively contacting applicants on the Housing Register with a rent in advance or deposit bond debt to Waverley, who are not entitled to an offer of accommodation with an outstanding debt. As a result of this intervention over £30,000 of debts have been repaid to Waverley since March 2015.
9. The Council's Fraud Investigation Officer also investigates referred cases to ensure that those admitted onto the Housing Register or who are soon to be allocated housing, are entitled to do so.
10. It is worth highlighting that whilst Waverley is entitled to broadly specify who is and who is not eligible to join its Housing Register, it is still legally required to have the ability to exercise discretion in certain cases.
11. Since January 2013, discretion has been applied to 35 cases. Examples of cases where discretion has been applied include housing association tenants living outside of Waverley with a high housing need and a local connection to Waverley and applicants who have previously exercised the RTB but have high medical need and local connection to Waverley and who cannot meet their housing need through any other means.
12. Waverley's Allocation Scheme complements the Council's work in preventing homelessness, by not penalising a housing applicant threatened with homelessness for moving to private rented accommodation to prevent their homelessness. Households in private rented accommodation, living at home with friends or relatives or living in temporary accommodation are all given the same level of priority on the Council's Housing Register. This helps encourage households to be proactive in sourcing alternative accommodation in the private rented sector to prevent their

homelessness and removes historic perceptions that the only way to be allocated social housing is to be considered to be homeless.

13. Waverley continues to maintain its excellent work in preventing homelessness, as outlined in the recent Homelessness Strategy update report to the Corporate Overview and Scrutiny Committee.
14. Annexe 1 provides a summary of the key elements of Waverley's Allocation scheme and the priority awarded to different types of housing need and strength of local connection to Waverley.
15. Linked to the allocation of the Council's homes is the introduction of Introductory and flexible tenancies in September 2014. This will increasingly help in the management and supply of this valuable resource.
16. Unfortunately, by contrast, the latest Government proposals relating to social housing will inevitably have a negative impact on Waverley's future supply of social housing and the Council's ability to meet future housing need. These proposals include the 1% reduction in rents and the requirement to dispose of higher value homes, when they become vacant, to fund the Right to Buy of Housing Association properties.

## **Conclusion**

17. The implementation of the revised Allocation Scheme in January 2013 has been very successful:
  1. Waverley's Housing Register more accurately reflects the true housing need of those with a local connection to Waverley.
  2. The two stage registration process and verification checks help detect potential fraud and ensure that applicants discharge their debts to Waverley.
  3. The limited supply of social rented housing in Waverley is allocated to households who are in housing need, have a local connection to the borough and who have appropriately addressed their debts to Waverley.
  4. The Allocation Scheme continues to support the Housing Options Team in their work to prevent homelessness.
18. The report was considered by the Corporate Overview and Scrutiny Committee on 22 September 2015 but there were no observations to pass to the Executive.

## **Recommendation**

It is recommended that the Executive notes the successful implementation of the revised housing allocations scheme.

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## **Background Papers**

There are no background papers (as defined by Section 100D(5) of the Local Government Act 1972) relating to this report.

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**CONTACT OFFICER:**

**Name:** Mike Rivers

**Telephone:** 01483 523013

**E-mail:** michael.rivers@waverley.gov.uk

## Waverley Homechoice

### Key Points of Waverley's Choice Based Lettings Allocation Scheme 2013

#### Introduction

Waverley Borough Council is required to have an allocation scheme to determine how social housing in its area is allocated. This leaflet summarises who can be included on our Housing Register and how we determine their level of priority.

Social housing in Waverley is in incredibly short supply. It is paid for out of public funds and we work hard to protect these funds from fraud. In accordance with S.171 of the Housing Act 1996 anyone found guilty of attempting to obtain accommodation by deliberately giving false information or withholding information relevant to their application is liable to be prosecuted and fined up to £5000. We will use all available means to prosecute anyone suspected of such an offence.

Ground 5 in Schedule 2 of the Housing Act 1985 (as amended by S.146 of the 1996 Housing Act) enables a council or housing association landlord to seek possession of a tenancy granted as a result of a false statement by the tenant or a person acting on the tenant's instigation.

In verifying information provided by applicants we reserve the right to check information provided by customers with a commercial data matching service(s).

#### 1. Who can be included on the Housing Register?

To join Waverley's Housing Register applicants must:

- be considered to be in housing need **and** have a local connection to Waverley
- not owe us or another landlord money
- not own their home or have previously exercised the Right to Buy
- have an annual household income less than £60,000 and savings of less than £30,000
- not have been proven to have committed anti-social behaviour, Housing Benefit fraud or sub-letting of social housing
- not already be a tenant of social housing to which we do not have a nomination right
- have a legal right to be included on our Register

#### 2. What are the different levels of priority?

If you are included on the Register your application will be assessed and placed in one of 3 bands:

**Band A** – Highest housing need and strong connection to Waverley

**Band B** – High housing need and strong connection to Waverley

**Band C** – Medium housing need and strong or medium connection to Waverley

## Discretionary Pool

Some applications that don't meet the banding criteria for band A-C may be placed in a Discretionary Pool. These will include applications from households that we are legally obliged to consider and those that we may need to house in the future such as those in supported accommodation but who are not yet ready to live independently.

### 3. Who is priority awarded to?

The table below summarises the main priorities of our scheme:

Band	Criteria	Examples
<b>A</b>	<p><b>Highest housing need</b></p> <p>Emergency and high priority</p>	<p>Medical emergency/disability</p> <p>Exceptional circumstances/urgent welfare grounds e.g. child/adult protection, threats to life etc – supporting 3<sup>rd</sup> party evidence from Police/Social Services/Health</p> <p>Severe environmental health grounds e.g. demolition, prohibition order or extreme disrepair and there are no realistic options to rectify the problem or to secure alternative housing</p> <p>Emergency Strategic Priorities e.g. permanent urgent decants from council housing, releasing under occupied (by 2 bedrooms) or disabled adapted social housing and we are able to allocate the resulting vacancy, management transfers etc.</p>
<b>B</b>	<p><b>High housing need</b></p> <p>Urgent need to move</p>	<p>Significant medical hardship/severe social hardship or multiple needs e.g. child/adult protection, domestic abuse, urgent need to move to give or receive essential support</p> <p>Priority overcrowding – lacking two or more bedrooms (see point 6) or other exceptional circumstances and all reasonable steps have been taken to resolve the issues</p> <p>Social housing tenants in Waverley lacking one or more bedrooms (see point 6) where at least one child is over 10.</p> <p>Loss of tied or armed forces accommodation through no fault of applicant and official notice given</p> <p>Young people leaving care and ready for re-housing</p> <p>Former tenants who have voluntarily given up tenancy for special reasons by agreement and are ready to be re-housed e.g. hospital, rehab</p> <p>High priority/strategic lettings e.g. move on from supported housing schemes, less urgent permanent decants of council housing, under occupation of social housing by one bedroom and we have nomination rights to the resulting vacancy</p> <p>Reciprocal or mobility arrangements with other councils, housing associations, the police</p>

		<p>Succession cases where tenant is under occupying the home</p> <p>Homeless households in temporary accommodation where there are special/exceptional circumstances or where we urgently need temporary accommodation</p> <p>Serious health and safety/disrepair issues that cannot readily be addressed by the landlord or through council enforcement action and where a move to other private rented or other housing is not appropriate/reasonable</p> <p>Armed service or former armed service personnel or their bereaved spouses/partner with a local connection to Waverley and assessed as being in housing need.</p>
<b>C</b>	<p><b>Medium housing need</b></p> <p>Identified housing need</p>	<p>Applicants who need to move on medical and/or disability grounds where the housing circumstances have a significant effect on the medical condition</p> <p>Homeless households e.g. those in temporary accommodation owed S193 duty, other unintentionally homeless households, those sleeping rough or at risk of sleeping rough and engaging with the Housing Options Team.</p> <p>Other strategic lettings e.g. those in private rented accommodation (Assured Shorthold Tenants) needing to move to more affordable housing.</p> <p>Unsatisfactory or insanitary conditions e.g. those sharing accommodation with household members not included in their application, lack of facilities/disrepair Category 2 Housing Health and Safety Rating System hazard (HHSRS)</p> <p>Social / Welfare hardship e.g. moving a household nearer to a source of essential support or to help social services deliver a care plan.</p> <p>Armed service or former armed service personnel or their bereaved spouses / partners assessed as being in housing need but no local connection to Waverley.</p> <p>Tied tenants seeking alternative accommodation</p> <p>Overcrowded social housing tenants living in Waverley lacking one bedroom where all the children are under 10 years old.</p>
<b>D</b>	<p><b>Discretionary Pool</b></p>	<p>Transfer applicants whose needs do not meet Bands A-C criteria but who were on the housing register prior to implementation of the revised allocation scheme</p> <p>Applicants with a local connection to Waverley in supported housing in Waverley or other local areas but are not yet ready to move on</p> <p>Other homeless applicants with a legal right to be considered for an</p>

		<p>allocation of housing e.g. intentionally homelessness households</p> <p>Armed service or former armed service personnel with no housing need, with or without local connection</p> <p>Care-leavers with a local connection to Waverley but not ready to live independently</p> <p>Elderly applicants in need of sheltered accommodation where a case can be made for moving closer to family support and the housing needs cannot be reasonably met elsewhere. Alternatively elderly applicants, on a case by case basis, where the sheltered housing vacancies are in less demand</p>
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#### **4. What is a local connection to Waverley?**

##### **a) Strong Connection**

***Those who have at least five years continuous and settled residence in the Borough of Waverley***

To be included in bands A or B applicants must also have a strong connection to Waverley. This requirement does not apply to those already in social housing in the borough and discretion can be applied in exceptional circumstances e.g. fleeing domestic abuse.

##### **b) Medium Connection**

***Those that fulfil at least one of the following:***

- *have lived in the Borough for three out of the last five years*
- *have previously lived in the borough continuously for at least 5 years*
- *be permanently employed in the borough for at least the last 12 months (at least 16 hours a week)*
- *Have a close relative who has lived in the borough continuously for at least the last 5 years. Close relative defined as: adult brother or sister, father, mother, adult son or daughter*
- *Have a local connection through special / exceptional circumstances*

To be in band C applicants must have least a medium connection to Waverley.

##### **c) Local Connection and the Armed Forces**

Following recent Government legislation the following applicants are not disqualified from applying to register for housing due to local connection criteria:

- serving members of the Armed Forces



- former members of the Armed Forces where application is made within five years of discharge
- bereaved spouses or civil partners of serving members of the Armed Forces where the spouse or partners death is attributable to their service and as a result the bereaved spouse or partner entitlement to reside in Ministry of Defence accommodation ceases
- serving members of the Reserve Forces who need to move due to serious injury, medical condition or disability sustained as a result of their service

### 5. Who has most priority in each band?

Priority within bands is determined by date. Often this is the date of application. **The application with the oldest priority date in a band will have the highest priority.**

If an application is re-assessed as meeting the criteria for a higher band, the priority date is amended to the date of the assessment for higher priority. This means that someone currently in band C, but assessed as now meeting band B criteria, will not leap frog ahead of those who are already in band B.

### 6. How do we assess the size of property you require?

Our Allocation Scheme reflects the Housing Benefit bedroom standard which will apply to both private rented tenants and social housing tenants from April 2013 as detailed below:

One adult or couple	One bed
Couple or lone parent with one child	Two bed
Couple or lone parent with two children of the same sex under 16	Two bed
Couple or lone parent with two children of opposite sex under 10	Two bed
Couple or lone parent with two children of opposite sex where one is over 10	Three bed
Couple or lone parent with three children	Three bed
Couple or lone parent with two children of the same sex where one is over 16	Three bed
Couple or lone parent with 4 or more children	Three or four bed

The full Allocation Scheme is available on our website – [www.waverley.gov.uk](http://www.waverley.gov.uk)

If you have any further queries about the Allocation Scheme please contact 01483 523019.

Please note that just because you may not be eligible to go on the register does not mean we can't offer any help. Our Housing Options team work hard to provide housing options advice and assistance to our residents.

Further details are available at [www.waverley.gov.uk/housingoptions](http://www.waverley.gov.uk/housingoptions) or on 01483 523188.