



**SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL**

## Rural and Communities Overview and Scrutiny Committee

23<sup>rd</sup> June 2022

Report of: Councillor Robert Reid

Cabinet Member for Housing and  
Property



# Housing Allocations Policy

The Council is the strategic housing authority for the district; the Allocation Policy provides the Council with the framework to manage the allocation of social housing within the District and allows it to meet its legal duties in relation to its housing function. This report seeks Committee scrutiny and comment on a revised Allocations Policy prior to submission for Cabinet consideration.

### Report Author

Jodie Archer, Head of Housing Services



01476 406080



[Jodie.archer@southkesteven.gov.uk](mailto:Jodie.archer@southkesteven.gov.uk)

Corporate Priority:	Decision type:	Wards:
Housing that meets the needs of all residents	Key	All Wards

Reviewed by:	Craig Spence (Assistant Director of Housing)	10 June 2022
Approved by:	Andrew Cotton (Director of Housing and Property)	14 June 2022
Signed off by:	Councillor Robert Reid (Cabinet Member for Housing and Property)	16 June 2022

### Recommendation (s) to the decision maker (s)

#### That the Committee:

1. Notes the content of the report, the proposed Allocations Policy, consultation responses and Equality Impact Assessment;
2. Provides comment and feedback on the Allocations Policy and Choice Based Lettings proposal; and
3. Supports submission of the Allocation Policy for Cabinet's consideration and approval.



# 1 The Background to the Report

1.1 The Council has a clear commitment in its Corporate Plan 2020-2023 to provide “*Housing that meets the needs of all residents*”. As a stock-retained local authority, the Council has around 6000 properties.

1.2 The Council currently has a waiting list of around 1500 live applications. In 2021/22, 327 properties in the Council’s own housing stock were re-let, and a further 189 allocations were made in respect of other social housing providers within South Kesteven.

## ***Legal background***

1.3 Part 6 of the Housing Act 1996 governs the allocation of local authority housing stock in England. It was amended by the Homelessness Act 2002 and the Localism Act 2011. The Council must also consider the Homelessness Reduction Act 2017.

1.4 Although there is no duty to maintain a housing register (a housing waiting list) the Council must have an allocation scheme for determining priorities between applicants for housing. The Council must ensure “reasonable preference” is given to:

- people who are homeless (within the meaning of the 1996 Act).
- people who are owed a duty by any local housing authority due to their homelessness.
- people occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions.
- people who need to move on medical or welfare grounds (including disability).
- people who need to move to a particular locality in the district of the authority, where failure to meet that need would cause hardship

The Council can take account of additional factors when determining priority in reasonable preference categories such as financial resources, behaviour and local connection.

1.5 The Localism Act 2011 restored the power local authorities had between 1997 and 2003 to exclude certain applicants they designate as “non qualifying persons.” This allows scope to adopt some restrictive policies around the definition of qualifying persons and exclude or suspend people for unacceptable behaviour (ASB for example) or lack of local connection.

## ***Current Policy***

1.6 The current policy was adopted in March 2019. Issues around ease of understanding in relation to the banding of applications and eligibility size have been recognised. As the Policy does not take into account the Armed Forces Covenant, recent Domestic Abuse guidance, or the Homelessness Act 2017, it was felt a thorough review would be appropriate.

1.7 Members will note that the current approach to lettings is on the Council making allocations of properties to individuals by matching their needs to a property. This is in contrast to the usual approach in the sector of a Choice Based Lettings scheme (CBL). The current approach limits choice for the customer with little visibility of the properties that are available for re-let. Accordingly, the amendments to the Allocations Policy also are consistent with the introduction of a CBL approach.

### ***Proposed Policy***

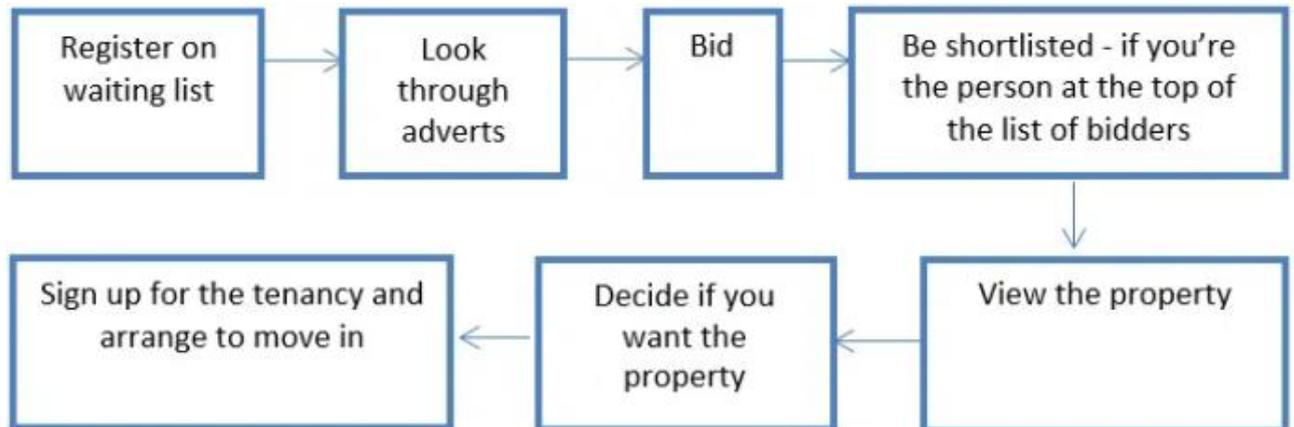
- 1.8 In addition to addressing the issues identified above, the revisions are intended to provide customers in the greatest need with as much choice as possible and to create an Allocations Policy that can easily be understood by customers. As such the main principles behind this policy are to:
- be transparent and easily understood by customers, staff, elected Members and partner organisations
  - help prevent homelessness and support the Council's homelessness strategy
  - widen choice and be more accessible
  - reflect local needs and encompass rural sensitivities
  - make the most effective use of the housing stock
  - ensure equality of opportunity in accessing the Housing Register
  - be easy to administer
  - to ensure customers are treated fairly, individually and in accordance with the commitment to equality and diversity.
  - promote mobility
  - be open and accountable
  - help tackle low demand
  - promote sustainable tenancies by ensuring adequate support is available for vulnerable people
  - to provide feedback to Customers about homes let through the choice-based lettings scheme
- 1.9 The proposed policy can be found at Appendix 1 – Draft SKDC Allocations Policy June 2022.
- 1.10 Key changes to the policy are:
- Lawful and up-to-date
  - Simplified and transparent
  - Advertise our properties and give residents choice
  - Bandings (currently 6) - move to 4, focusing on housing need

### ***Choice Based Lettings***

- 1.11 The current approach can result in a higher number of refusals as the customer may not agree that the property offered is in line with their need, resulting in refusals and a potential higher level of void rent loss whilst a tenant can be sourced.
- 1.12 Choice based lettings systems enable the applicant(s) to bid for a property to be re-housed. Vacant properties are advertised on a weekly cycle giving complete transparency. Typically, the advert says what size of family could apply, for example a 1-person household, or a family with 5 people, and whether there are any restrictions such

as being over 40 or needing accommodation with adaptations for a disability. The Council can support with bidding or set applicants to "auto-bid".

- 1.13 A typical process for a CBL approach from the customer perspective can be summarised as follows:



## **2 Consultation and Feedback Received, Including Overview and Scrutiny**

- 2.1 Consultation has been undertaken through our website, key stakeholders, to the community and via informal Councillor briefing sessions. Comments received are appended to this report with comment and responses. Committee will note that a number of amendments have been made to the Policy based on the feedback.

## **3 Available Options Considered**

- 3.1 Support the proposed Allocations Policy for Cabinet approval.
- 3.2 Do nothing and continue with the existing policy.

## **4 Preferred Option**

- 4.1 Support the adoption of the new policy.

## **5 Reasons for the Recommendation (s)**

- 5.1 The new policy provides a robust, lawful and clear policy to manage the allocation of social housing within the District, with the move to a CBL system providing choice to our customers.

## **6 Next Steps – Communication and Implementation of the Decision**

- 6.1 As part of the timeline post adoption of this policy please see Appendix 3 – Timeline for implementation of the Allocations Policy.
- 6.2 There shall be a robust communications plan developed to inform all current applicants on our waiting list of the changes to the policy.
- 6.3 There shall be a transition period proposed for quarter three of 2022 to implement and launch the choice-based lettings approach.

## **7 Financial Implications**

- 7.1 The budget rental income for the HRA is approximately £24m and so it is important that tenants are well aware of the financial responsibility they undertake when offered a Council dwelling in order to ensure income is received in a timely manner that then funds the many HRA services and investment plans. I particularly welcome section 5.5.3 which will ensure prospective tenants are made aware of their financial obligations before becoming a tenant.

**Financial Implications reviewed by: Richard Wyles, Chief Finance Officer**

## **8 Legal and Governance Implications**

- 8.1 There are no legal and governance implications arising from this item that are not already included in the body of the report.

**Legal Implications reviewed by: Graham Watts, Assistant Director of Governance and Deputy Monitoring Officer**

## **9 Equality and Safeguarding Implications**

- 9.1 By providing choice to our customers, we shall be empowering them to take enhanced ownership of their future with all customers eligible able to actively bid on a property that interests them and matches their needs. A full equality impact assessment has been undertaken to assess all implications for consideration and is appended to this report.

## **10 Risk and Mitigation**

- 10.1 We currently have a policy that does not fully meet legislative requirements and is difficult to interpret, creating a slight risk of legal challenge.

## **11 Community Safety Implications**

- 11.1 None identified.

## **12 How will the recommendations support South Kesteven District Council's declaration of a climate emergency?**

- 12.1 No direct implications, although improving the management of the Council's allocation processes and refusals of accommodation will reduce travel time and mileage to sign up appointments across the district.

## **13 Other Implications (where significant)**

- 13.1 None.

## **14 Background Papers**

- 14.1 None.

## **15 Appendices**

- 15.1 Appendix 1 – Draft SKDC Housing Allocations Policy June 2022.  
15.2 Appendix 2 – Consultation responses.  
15.3 Appendix 3 – Implementation timeline.  
15.4 Appendix 4 – Equality Impact Assessment.