

Appendix 1. Housing Register and Allocation Scheme Task and Finish Group: Principal Recommendations

Current Policy	Proposed Changes	Rationale for Change or Retention
<p>1. Eligibility for the Housing Register: By law several categories of applicant who are subject to immigration control or who are not habitually resident in the UK must be treated as ‘ineligible’. Beyond this the Council has discretion to define other categories of applicant who are not ‘qualifying persons’. Some minor amendments to this are proposed.</p>		
<p>(a) Existing Social Housing Tenants: Applicants seeking a transfer who are considered to have no housing need i.e. they would not fall within Bands A-C. <i>This applies to existing social housing tenants who have appropriate accommodation for their household size and needs and would otherwise fall into Band D</i></p>	<p>No change</p>	<p>We receive a lot of applications from existing social housing tenants who wish to move due to concerns about their neighbourhood or the type of property. Such issues are best dealt with on a landlord/tenant basis rather than via the Housing Register. Other options available include tenants pursuing an exchange or landlords facilitating transfers either within their own stock or in exceptional cases, where there is a direct threat to residents’ safety, via the Council’s Priority Transfer Scheme.</p>
<p>(b) Income and Savings: applicants with sufficient income and/or savings to secure alternative housing. <i>Income threshold for applicants is set at 4 x the Local Housing Allowance rate for the type of property needed which equates to income limits of:</i></p> <p><i>1 bed 31,200</i> <i>2 bed 39,520</i> <i>3 bed 47,424</i></p>	<p>It is suggested that the income limits and the basis on which they are calculated are retained.</p> <p>Savings threshold to be increased to £20,000 for ‘general applicants’ and £30,000 for applicants aged 55+.</p> <p>Savings will be deemed to include monies received from the sale of a property in the last 3 years by any member of the household</p>	<p>The income thresholds for eligibility can be compared with the income that might be required to purchase different types of property on the local market at lower quartile prices, based on 4 x income multiplier</p> <ul style="list-style-type: none"> - 1 bed home would need an income of £38,000 - 2 bed home would need an income of £63,112 <p>The increase in the savings threshold provides greater access for applicants who have some savings or have previously been owner occupiers. The increased threshold for older households reflects the difficulty of securing mortgages in later life, the fact that some older people receive lump sums in later life.</p>

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<p>4 bed 64,480</p> <p><i>The savings limit is set at £16,000. Discretion may be made in circumstances where social housing is the only realistic option e.g. disabled adaptations needed.</i></p>		<p>The demand for many age restricted schemes in Chichester is quite low; it would be beneficial to widen access to this to older people who are currently prevented from applying for these homes.</p>
<p>(c) Unacceptable Behaviour An applicant or a member of their household who has been identified as being involved in unacceptable or anti-social behaviour within the past five years. <i>The policy sets out a wide range of examples of this embracing criminal convictions and conduct of previous tenancies</i></p>	<p>It is proposed that this exclusion is reduced from five to three years.</p>	<p>In practice Registered Providers have their own policies which they use to restrict the grant of tenancies to perpetrators of nuisance or criminal behaviour. There are however circumstances in which the Council may be forced to accept a statutory duty to rehouse a household in these circumstances, in such circumstances reducing the exclusion period to three years allows some flexibility although in practice, such households will still find it very difficult to access social housing.</p>
<p>(d) Minimum age for Applicants The Housing Register is open to anyone who is 16 years of age or older (subject to other restrictions). In practice there are very few, if any, 16 year olds on the Housing Register as main applicants.</p>	<p>It is proposed to increase the minimum age for new applications to 18.</p>	<p>There is no justification for accepting applications from 16 and 17 year olds, not least since they cannot be granted a tenancy or enter into a contract. 16 and 17 year olds threatened with homelessness receive assistance from WSCC Children’s services who may seek joint assessments and assistance from the Council when and if required.</p>

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<p>(e) Applications from mobile and holiday home applicants <i>There is no explicit reference to the eligibility of residents who occupy 'holiday accommodation'.</i></p>	<p>Applications from residents living on holiday parks will be assumed to have accommodation available elsewhere as their 'main residence' and their needs will be assessed on this basis.</p> <p>Only when it can be established that residents have no other accommodation available to them will they be eligible for the Housing Register.</p>	<p>The District includes a large number of 'holiday parks'. Invariably these are restricted in use for residents who have their main home elsewhere. The intention is to clarify the way these applications are managed in circumstances where applicants appear to have no other accommodation.</p> <p>The effect of the change underlines that residents of holiday park accommodation <i>should</i> have alternative accommodation but provides more clarity in circumstances where, for one reason or another, this is no longer the case.</p>
<p>2. Local Connection: The requirement for a local connection to Chichester District is an important element of our Allocation Scheme. Local connection requirements operate in two ways:</p> <ul style="list-style-type: none"> - <i>A Local Connection to the District</i> - is required in order for an applicant to be eligible to join the Housing Register, (albeit this is waived in circumstances where the Council owes a statutory housing duty). - <i>A Local Connection to a Rural Parish</i> – may be used to prioritise an applicants within Bands A-C (i.e. those who have current Housing Needs), for specific allocations in rural areas. This policy is currently applied to Parishes designated as Rural Settlements. 		
<p>(a) Rural Allocation Policy At present this policy applies to all those Parishes which are designated by the Government as Rural Settlements.</p> <p>The parts of the District which do not fall within this designation are (and to which the Rural Allocation Policy does <u>not</u> apply) are Chichester City, East Wittering & Bracklesham, Midhurst, Selsey, Southbourne and Petworth.</p>	<p>It is proposed that strategic housing development areas are also excluded from the Rural Allocation Policy. At present this would include Tangmere, Westhampnett and Shopwhyke Lakes (Oving).</p> <p><i>A suggestion was made at the Task & Finish Group that the Rural Allocation Policy should also be applied to lettings in the Parish of East Wittering and Bracklesham Parish.</i></p>	<p>The existing Rural Allocation Policy affords priority for local people where opportunities for affordable housing are especially scarce. In doing so it helps to promote more sustainable local communities. There is less justification for these policies in areas with a larger volume of lettings and as part of developments which are planned to meet district wide needs.</p>

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<p>(b) Definition of a Local Connection to Chichester District</p> <ul style="list-style-type: none"> - Currently resident for 2 years on a permanent basis - Previously resident for 4 out of the past 6 years - Current employment in a paid or unpaid role within Chichester District for more than 20 hours per week - Moving to receive or provide care where one party has been resident for at least 5 years - Other exceptional circumstances with the agreement of the Portfolio holder 	<p>Minor changes are proposed as follows:</p> <ul style="list-style-type: none"> - To reduce the working hours requirement from 20 to 16 hours - To remove the care requirement to be conditional upon eligibility for Carer's Allowance - To provide greater discretion to maintain applications for households who move to accommodation outside the District for work or training purposes, or due to the lack of affordable housing - To delegate decisions on the use of discretion with reference to the Divisional Manager rather than the Portfolio Holder. - To waive the requirement for West Sussex Care Leavers to have a Local Connection. 	<p>Decisions on applicants' Local Connection to Chichester District can be contentious. The intention of the changes proposed is to reduce some of the 'hard edges' around the policy and provide greater scope for discretion.</p> <p>It is preferable to avoid circumstances where applicants 'lose' a local connection once accepted on to the Register. This is difficult to manage and potentially may provide a perverse incentive for applicants to remain in poor quality accommodation rather than move to more affordable rented accommodation outside the District.</p> <p>A protocol has been agreed between WSCC and Districts and Boroughs not to insist on Local Connections for young people who have been looked after by WSCC.</p>
<p>3. Priority Banding: Properties are allocated to applicants through a system of bidding based on four Bands A-D, where A is the highest and D is the lowest. Priority within Bands is determined by date order using the date on which an application moved into the relevant band.</p>		
<p>(a) Rough Sleepers Band B priority for 'applicants who have been registered with an appropriate agency or a charity for a period of 3 months or more as regularly rough</p>	<p>Proposed introduction of a quota for rehousing rough sleepers, care leavers and potentially others moving on from supported housing. The quota would enable specific</p>	<p>The current Band B option for rough sleepers is in practice difficult to operate and has been rarely used. Replacing it with a 'quota' as suggested would provide a more manageable pathway for those ready to move on to permanent social housing, where this</p>

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sleeping within Chichester District’.	applicants to be prioritised within Band B as part of a planned housing pathway to be determined in partnership with relevant partners e.g. Stonepillow for rough sleepers, and WSCC for former looked after children.	is the appropriate solution.
(b) Former looked after Children There is no explicit priority given to Care Leavers within the Allocation Scheme.		Current arrangements for Care Leavers are inconsistent and generally responsive rather than planned. The introduction of a quota will assist this process.
(c) Adding Children to an application An expected first child will be eligible to be included on the application when the mother is 6 months into her pregnancy. At this point the applicant will be deemed to have a two bedroom rather than one bedroom need.	The proposal is to re-assess applications at the point at which an applicant confirms the pregnancy with their first child (rather than wait until 6 months into the pregnancy).	This change will avoid the potential for applicants to move into accommodation which is quickly too small for their needs and avoids further paperwork at a later date.
<p>4. Management of the Application and Bidding Process: we are legally obliged to publish not only the criteria for the allocation of social housing but also the process which we use to manage the scheme.</p>		
(a) Time Limits for Bidding: There is a maximum 12 week time limit for bidding for all Band A applicants. There is a maximum 8 week time limit for bidding for various categories of applicant including most homeless households in temporary accommodation.	These time limits should be removed. For Band A and B applicants, the policy should provide for the Council to review priority in the light of applicants’ bidding history and current circumstances after a period of 6 months from the original assessment. Separately, the scheme provides the means by which direct offers can be made to homeless households in temporary accommodation who do not bid for permanent housing.	In practice these time limits are not observed and impractical to implement. Notwithstanding this, the policy needs to provide the flexibility to review applications which have A or B bandings where such priority is no longer justified.
(b) Suspension of Applicants from Bidding	A new clause to allow temporary suspension of applicants’ ability to bid in circumstances where conduct of a tenancy may render them ineligible to be offered a social housing tenancy e.g. rent arrears.	The introduction of such a clause provides a means of dealing with applicants who are in breach of their tenancy conditions and likely to be refused offers by providers, without removing their applications from the Register entirely. This is more manageable from an administrative

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		point of view and recognises that some applicants may fall into arrears on an intermittent basis.
<p>(c) Direct Lets</p> <p>The policy currently provides scope to allocate properties directly, without advertising in certain circumstances. At present this includes specialist or bespoke properties, Extra Care Housing and circumstances in which RPs are redeveloping existing schemes.</p>	<p>Two categories can be added to this list:</p> <ul style="list-style-type: none"> - Properties which have been previously advertised but not successfully let due to low demand - Circumstances in which the Council needs to discharge a statutory duty under the homelessness legislation and has been unable to do so via the bidding process. 	<ul style="list-style-type: none"> - The first of these exceptions avoids the need to re-advertise properties which have attracted few bids - The second option may be required in order to enable the Council to fulfil its statutory duty to secure accommodation for a homeless household.
<p>5. The Use of Management Discretion: It is important that the Allocation Scheme retains a degree of flexibility to accommodate the wide variety of circumstances in which residents require assistance with housing. At present the scheme allows limited discretion and is inconsistent in the way this should be used.</p>		
<p>The current Allocations Scheme allows for 'Exceptional Circumstances' to be considered but this is only in relation to local connection criteria where approval must also be sought from the Cabinet Member.</p>	<p>The Divisional Manager for Housing may in exceptional circumstances, and on a case by case basis apply discretion to any element of an application.</p>	<p>The use of discretion is an important element of any policy. LA's must not fetter their discretion therefore this additional provision will ensure general discretion in all aspects of the policy. It is suggested that such discretion is best delegated to the Divisional Manager for Housing.</p>