

Report title	Review of Housing Allocation Scheme
Report author	Maggie Ward Head of Housing Services & Business Planning
Department	Housing
Exempt?	No
Exemption type	Not applicable to public policy
Reasons for exemption	Not applicable to public policy

Purpose of report:
For information

Synopsis of report:
The Council has a statutory responsibility to publish a Housing Allocation Scheme which it last did in June 2021. This report advises members of the intention to review some of the discretionary elements of the current scheme which will be subject to a statutory consultation.

Recommendation(s):
Members note the commencement of the review of the Housing Allocation Scheme

1. Context and background of report

- 1.1 Every Local Authority in England is required to have a Housing Allocations Scheme to meet their statutory obligations, to be fair and transparent, whilst making the best use of limited social housing stock. The Council have a degree of flexibility in how we frame the allocations scheme, so long as it is in accordance with the legislation, government guidance and applies reasonable preference to specified groups.
- 1.2 The Housing Allocations Scheme was approved by Housing Committee in June 2021 and this is the current working policy.
- 1.3 Allocations schemes are regularly reviewed to take account of legislation and local housing need.
- 1.4 The main piece of legislation underpinning the allocation of social housing is the Housing Act 1996, Part VI (as amended). The legislation requires Local Authorities to publish an allocation scheme for determining priorities and defining the procedures to be followed in allocating social housing. The Council may allocate housing in such a manner as it considers appropriate, subject to the specific provisions in Part VI of the Housing Act 1996.

1.5 The Localism Act 2011 allows councils to better manage their waiting lists and tailor allocation priorities to meet local needs and circumstances. The Council will also take account of the Equalities Act 2010 in framing the scheme.

2. Report

2.1 The Housing Allocation Scheme was last reviewed in 2021. The scheme in operation is legally compliant, there have been no applicable changes in legislation since its approval by the Committee in June 2021 and it is not expected that this review will lead to significant changes.

2.2 This review is an opportunity for members to consider the impact of the scheme and whether changes are required to the elements of the scheme which are not legislated but give scope for the Local Authority to define specific qualifying criteria and determine the priority awarded to applicants.

2.3 The current Housing Allocation Scheme is attached at Appendix A.

2.4 A table summarising the main elements of the scheme and areas for consideration is attached at Appendix B.

2.5 The current Local Connection criteria is 3 years employment or residing within the borough. The current housing crisis and high housing costs within the borough result in people who have lived in the borough for a significant period having to seek accommodation out of the borough and even if this is for a short period, that can result in the loss of the local connection. This requirement could be less restrictive and officers are recommending that consideration be given to a more flexible requirement for residence such as 3 years out of the last 5 to address the possibility of a temporary move or a move as no accommodation is available within the borough, with residents losing the right to remain on or join the Housing Register. There are provisions within the Scheme for those that are placed out of borough in fulfilment of other statutory duties to protect their local connection.

2.6 The calculation of bedroom need is at the discretion of the Local Authority and currently Runnymede has a generous policy which leads to more households being calculated as requiring 3, 4 and 5 bedroom properties.

2.7 In the current Allocation of Accommodation: Guidance for Local Authorities, the Secretary of State takes the view that the bedroom standard is an appropriate measure of overcrowding for allocation purposes and recommends that all housing authorities should adopt this as a minimum. The bedroom standard allocates a separate bedroom to each:

- married or cohabiting couple
- adult aged 21 years or more
- pair of adolescents aged 10-20 years of the same sex.
- pair of children aged under 10 years regardless of sex.

2.8 Currently the Runnymede scheme allocates a room to each child over 16 which is more generous than some local authorities. Woking and Reading allocate a room to an 18 year old, Elmbridge gives a separate room to a child over 16 where the same sex sibling they might share with has an age difference of more than 10 years as do

Spelthorne. Surrey Health has a joint scheme with Accent Housing which has the same bedroom allocations as our current scheme.

- 2.9 The current rules for receipt of Housing Benefit or Universal credit only require two children under the age of 10 to share regardless of sex and a change to the Runnymede Scheme would not impact on any benefit entitlement.
- 2.10 The current scheme disqualifies people with a housing debt over £100 and this includes Council Tax or rent arrears. The Government encourage Local Authorities to have a proportionate approach to existing tenants subject to the reduction for an empty room so this may disadvantage tenants seeking to downsize. There may also be tenants in private rented accommodation that cannot afford their current rent or those with debts to their landlord that the Council is not aware of as it will not appear on any credit search. There is an opportunity to allow applicants with a low Housing debt which is being managed to access the Housing Register whilst payments are being maintained.
- 2.11 An important requirement of the introduction of a new Allocations Scheme is consultation with stakeholders, which will include relevant Council Officers, elected Members, Registered Providers, Surrey County Council, housing support agencies, and the public. Subject to approval to consult being granted by the Committee, the views of stakeholders will be sought in a consultation process that will last eight weeks.
- 2.12 Proposed amendments to the policy and the potential impact of these will be supported by data on the outcomes of the current policy and proposed changes. This will form part of the consultation documentation.
- 2.12 It is proposed that a draft policy is brought to this Committee in November 2023 with formal consultation to take place following this and the results of the consultation and a revised scheme to be brought to Committee in March 2024

3. Policy framework implications

- 3.1 This review of the Housing Allocation Scheme will be carried out with regard to the Council's Homelessness & Rough Sleeping Strategy as well as the Tenancy Strategy, Decant Policy, and Equality Strategy.

4 Resource implications

- 4.1 The review will be carried out within existing staffing resources.

5. Legal implications

- 5.1 Housing authorities are required by section 166 [Housing Act 1996](#) to have an allocation scheme for determining priorities, and for defining the procedures to be followed in allocating housing accommodation; and they must allocate in accordance with that scheme (section 166A Housing Act 1996). All aspects of the allocation process must be covered in the scheme, including the people by whom decisions are taken. In the Secretary of State's view, qualification criteria form part of an allocation scheme.

- 5.2 All housing authorities must have an allocation scheme, regardless of whether they own housing stock and whether they contract out the delivery of any of their allocation functions. When framing or modifying their scheme, authorities must have regard to their current tenancy and homelessness strategies.

6. Equality implications

- 6.1 An Equalities Impact assessment will be carried out on the prospective changes to the scheme.

7. Environmental

- 7.1 None identified

8. Timetable for Implementation

- 8.1 A reviewed document to be brought to this Committee in November 2023 seeking permission to commence a statutory consultation.

9 Appendices

- Housing Allocation Scheme 2021
- Scheme Summary and Areas for Review