

**REPORT TO:** Cabinet

**MEETING DATE:** 16 January 2018

**BY:** Depute Chief Executive (Partnerships and Community Services)

**SUBJECT:** Review of Housing Allocations Policy

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## **1 PURPOSE**

- 1.1 To seek Cabinet approval for a review of the existing Housing Allocations policy.
- 1.2 To explain the context, drivers, scope and approximate timescale for the review.

## **2 RECOMMENDATIONS**

- 2.1 That Cabinet approves the review of the existing Housing Allocations policy.
- 2.2 That Cabinet notes the context, drivers, scope and approximate timescale for the review.

## **3 BACKGROUND**

- 3.1 The Council operates a Group and Points Allocations Policy, which has been operational since its introduction in July 2007 following a major review of the previous policy. Some small changes have been made to the policy over the last few years. The most recent ones are referred to in the report to East Lothian Council (25 February 2014).
- 3.2 The main objective of the Allocations Policy is to meet the Council's legal obligations specified in the Allocations and Homelessness legislation. The policy also assists the Council to achieve, along with other complementary actions, balanced and sustainable communities through local lettings plans.
- 3.3 The current policy continues to deliver positive outcomes for many on the housing list, gives applicant choice, supports high tenancy sustainment

levels and at the same time has reduced refusal rates, which in turn helps with the quicker turnaround of empty houses.

- 3.4 In spite of these positive outcomes the level of homelessness generally and the demand for temporary accommodation remains high and waiting times for homeless applicants for rehousing continues to increase significantly with a concomitant increase in the length of time homeless applicants are spending in temporary accommodation. The extent of this challenge was reported to Cabinet in November 2017.
- 3.5 This demand has resulted in breaches of the Homeless Persons (Unsuitable Accommodation) (Scotland) Order 2014, which states that persons who are pregnant or who have dependent children and those who might reasonably be expected to reside with them cannot occupy unsuitable temporary accommodation i.e. bed and breakfast for longer than seven days (prior to October 2017 this was 14 days).
- 3.6 Furthermore, the Scottish Housing Regulator as part of the Local Area Network scrutiny activity has noted ongoing concerns over the high numbers of people in bed and breakfast and temporary accommodation generally with increasing lengths of stays in such accommodation.
- 3.7 In addition, there are other aspects of the existing allocations policy that require review such as overcrowding points, which could be more nuanced, the use of temporary accommodation points and other aspects that could bring about improvements.
- 3.8 The Health and Housing Framework used to determine medical priority also requires review and will be brought within scope of this project. This review will look at both the administration and assessment criteria used in the current framework.
- 3.9 Beyond the local drivers described above, the Scottish Government are now looking to issue commencement orders for the Housing (Scotland) Act 2014, which will require the Council and all social landlords to review their allocations policy in light of these new requirements. It is expected these commencement orders along with more detailed guidance will be issued in Spring 2018 to be implemented by Spring 2019.
- 3.10 The legislative changes will create a new framework for the review of allocations policies. There are changes around the reasonable preference groups with an additional unmet need requirement, the ability to take home ownership into account, successions, assignments and the model Scottish Secure Tenancy, which the policy review group will have to work through in light of the detailed guidance expected in the Spring of 2018.
- 3.11 A policy review team is to be established comprising Community Housing & Homelessness staff, Adult and Children's Wellbeing staff and East Lothian Tenants and Residents Panel to develop the new policy to address both the local context and legislative change. Other staff groups will be co-opted to the group as and when appropriate.

- 3.12 The policy review team will report to a cross-party Programme Board who will oversee the process and consider recommendations prior to any formal approval by elected members. The Programme Board will also include the Head of Development and representation from East Lothian Tenants and Residents Panel.
- 3.13 The new draft policy will be the subject of full tenant, housing applicant and stakeholder consultation prior to Cabinet approval and implementation.
- 3.14 Given the above, it is expected that the full review will take up to one year, although it may be possible to fast-track certain elements that will allow the Council to address some of the more critical pressures it faces.

#### **4 POLICY IMPLICATIONS**

- 4.1 The policy review will allow the Council to satisfy itself that the new Housing Allocations policy is compliant with legal requirements and is delivering good outcomes for housing applicants most in need and those experiencing homelessness.

#### **5 INTEGRATED IMPACT ASSESSMENT**

- 5.1 A full integrated impact assessment will be undertaken as part of the Allocations Policy Review.

#### **6 RESOURCE IMPLICATIONS**

- 6.1 Financial – The costs of developing the new policy are within the Service Development Team budget. Once approved the new policy will need to be implemented and appropriately costed and resourced.
- 6.2 Personnel – None.
- 6.3 Other – None.

#### **7 BACKGROUND PAPERS**

- 7.1 East Lothian Council Report – Housing Allocations Policy Review – February 2014
- 7.2 Cabinet Report – Homelessness Update and Action Plan – November 2017

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