

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Housing Portfolio Holder

21 March 2012

**AUTHOR/S:** Corporate Manager Affordable Homes

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### **CLG CONSULTATION – ALLOCATION OF ACCOMMODATION: GUIDANCE FOR LOCAL HOUSING AUTHORITIES IN ENGLAND**

#### **Purpose**

1. To approve the draft response to the Department of Communities and Local Government (CLG) on the consultation document for revised guidance on the allocation of accommodation.
2. This is not a key decision because, this is simply to respond to draft guidance that has been circulated and no changes to our existing lettings policy are currently being asked for approval.

#### **Recommendations**

3. It is recommended that the Housing Portfolio Holder approves the attached letter as the Council's response to the CLG draft guidance.

#### **Background**

4. The CLG launched the formal consultation, *Allocation of accommodation: guidance for local housing authorities in England*, on 5/1/12 and the consultation closes on 30/3/12.
5. The final guidance on the allocation of accommodation, will replace previous guidance issued on the allocation of accommodation (issued in November 2002) and guidance on choice based lettings (issued August 2008). It is anticipated that the guidance will be received in the summer of 2012.
6. The Council are part of a sub-regional partnership that forms the Home-Link lettings scheme across the Cambridge sub-region. Whilst each local authority has its own lettings policy, the principles of determining housing need have been agreed across the sub-region. This eliminates the need for multiple applications to authorities across the sub-region and allows for greater understanding and clarity for applicants and other agencies.
7. A lettings policy sub group has already been set up for officers across the sub region to discuss potential issues arising from the welfare reforms which are likely to give rise to the need for some policy changes.
8. This group will also take on board the guidance issued from the CLG whilst reviewing the lettings policies and the principles of the local tenancy strategies.

#### **Considerations**

9. The guidance allows local authorities greater freedom to shape their allocations around local priorities.

10. The guidance enables local authorities to decide if those with no prospect of rehousing are excluded from joining the housing register. Home-Link has adopted a new Targeted Housing Options website intended to assist those with little prospect of achieving an offer of social rented accommodation as well as those making realistic applications for affordable housing. The sub-region are likely to take the view that applications are not therefore excluded under these circumstances, although operational procedures will be reviewed in terms of managing these applications.
11. The new guidance also gives local authorities greater freedom to deal with social rented tenants.
12. The statutory reasonable preference categories remain the same.
13. The guidance also includes the ability for local authorities to award additional preference for certain groups such as former service personnel and those showing good behaviour. These issues will be addressed locally once the formal guidance has been issued by the CLG. It will be important to ensure that any changes to the lettings policy meet the equalities legislation.
14. The proposed welfare reforms will have an impact on housing need. For example, more families may be residing in overcrowded or otherwise unsuitable private rented accommodation due to the restriction on Housing Benefit following the reductions to the Local Housing Allowance and social tenants may have a shortfall on their Housing Benefit entitlement due to the new restriction affecting social tenants who are under-occupying. These will need to be given consideration under the lettings policy.
15. The attached response is from South Cambridgeshire District Council, and these views and opinions will be discussed further on a sub-regional basis with the aim of maintaining shared principles of assessing housing need across the sub-region.

### Options

16. The Portfolio Holder is invited to comment on the draft consultation response.
17. The formal guidance from the CLG is to be published during 2012. Once this has been received a revised local Tenancy Policy will be presented to the Portfolio holder for decision.

### Implications

18. Financial	None in terms of responding to the Guidance, although any change in policy may have some financial implications due to the need for consultation and revised documentation.
Legal	Any changes to the lettings policy must be in line with our statutory obligations under Part 6 of the 1996 Housing Act, and have regard to the Code of Guidance for Allocations.
Staffing	None in terms of responding to the guidance.
Risk Management	None in terms of responding to the guidance.
Equality and Diversity	None in terms of responding to the guidance. Any changes to the lettings policy must comply with the equalities legislation.
Equality Impact Assessment completed	No An EQIA is not required for the consultation response, however, an EQIA will be required for any changes to the lettings policy.

Climate Change	N/A
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### **Consultations**

19. The consultation document has been discussed at the sub-regional lettings policy review sub group, however, each Local Authority will be responding separately to the consultation document.

### **Consultation with Children and Young People**

20. None

### **Conclusions / Summary**

21. The CLG has issued a consultation on new guidance for the allocation of accommodation. Our draft response due in by 30/3/12 is attached to this report.

**Background Papers:** the following background papers were used in the preparation of this report:

Allocation of accommodation: guidance for local authorities in England, Consultation, CLG, January 2012

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