

**Committee:** Cabinet Report

**Agenda Item**

**Date:** 12 January 2016

**14**

**Title:** Allocations Policy amendments

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Key decision: yes

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## Summary

1. This report outlines proposed amendments required to the council's Allocations Policy following recent case law relating to homelessness applicants.

## Recommendations

2. That the Cabinet agrees amendments to the council's Allocations Policy as recommended by the Housing Board.

### 3. Financial Implications

4. None

## Background Papers

5. None

## Impact

- 6.

Communication/Consultation	Consultation has taken place with members , the public and partners
Community Safety	N/A
Equalities	The policy has been equality impact assessed
Health and Safety	N/A
Human Rights/Legal Implications	Change required due to recent case law
Sustainability	N/A
Ward-specific impacts	All wards
Workforce/Workplace	N/A

## Situation

1. The Allocations Policy sets out who is eligible to apply for social rented housing in the district, how people apply for such housing and how applications are assessed and awarded priority.
2. Following recent case law it is necessary to make some amendments to the Allocations Policy around the eligibility of accepted homeless applicants and other categories of applicants who fall within reasonable preference categories as defined by the Housing Act 1996.
3. The proposed amendments allow for applicants to whom the council has accepted the full homelessness duty, namely to provide long term accommodation to, to join the housing register regardless of whether they meet the council's local residency criteria. This means that under the allocations policy all accepted homeless cases will now be offered accommodation in accordance with same criteria.
4. The amended policy also allows for exceptional circumstances to be considered for any other applicants wishing to join the housing register who fall within one of the reasonable preference categories but do not meet the council's local residency criteria.
5. One other minor policy change is that applicants who have been given band B for serious medical or welfare issues, who have not expressed interest in all suitable advertised properties during 12 cycles of the freesheet, will have their band B award reviewed.

## Risk Analysis

6.

Risk	Likelihood	Impact	Mitigating actions
That the Allocations Policy will be subject to legal challenge by categories of applicants currently not able to join the housing register	3 Significant risk if the amendment is not made	2 Some Risk. There is a risk of legal challenge	By amending the Allocations Policy it is considered that subject to further case law the policy meets current legislation

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.