

CHOICE BASED LETTINGS – PROGRESS & POLICY CHANGES

Agenda Item 8(a)

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Background Papers:- Cabinet reports September 05 and March 07. Presentation to Local committees, July 07 and Member Focus – August 07
Financial Implications:- None directly from this report
Equalities Implications:- None directly from this report
Legal Implications:- None directly from this report
Options: Discussed in report
Risks: Discussed in report

EXECUTIVE SUMMARY

The Cabinet will be asked to approve the Greater Haven Gateway Draft Allocations Policy, which will replace the current Braintree allocations policy currently in use to allocate properties when Choice Based Lettings is introduced in November 2008.

This report sets out the nature of the changes to our current policy that will be required and updates members on the progress so far.

The report is being taken to the Local Committees in order to make sure that members keen to participate are given the opportunity to do so and to seek member comment before the report is considered by the Cabinet.

DECISION

It is recommended that members

- note the consultation being undertaken by the Greater Haven Gateway Sub-region on the Choice Based Lettings Draft Allocation Policy *and*
- support the changes to the current banding scheme as set out in the Draft Allocations Policy *and*
- agree to the cross boundary mobility pilot scheme.

CHOICE BASED LETTINGS – PROGRESS & POLICY CHANGES

1.0 Background

1.1 The Housing Allocations Policy is the policy used to assess who is eligible to join the Housing Needs Register and to ascertain what priority they will receive.

1.2 Braintree held extensive consultation in early 2007 on their current Allocations Policy, which resulted in the new banding policy being fully introduced in September 2007. The current banding policy consists of 4 bands; band A to Band D where band A is the highest and band D is the lowest.

1.3 The need for change to the policy has been driven by the proposed move to introduce choice based lettings sub-regionally where we want to introduce a common allocations policy across the sub-region to enable choice based lettings to operate in a transparent way.

1.4 It has been agreed in principle to develop a sub-regional Choice Based Lettings (CBL) scheme with 7 other local authorities in the sub-region which include: Babergh, Colchester, Maldon, Mid-Suffolk, Ipswich, Suffolk Coastal and Tendring and the scheme aims to be delivered in November 2008.

1.5 To facilitate moving to CBL all of the eight councils are in the process of changing their existing allocations policies to one common allocations policy using a banding system based on housing need and the consultation period for this policy is from December 2007 – end February 2008. In common with some other councils, we found it difficult to timetable discussion at the relevant meetings before the deadline and it has been agreed for member comment to be taken during March 08.

1.6 The Project Board has included formal representation from Braintree District Council throughout its operation and from Greenfields since the stock transfer in November. The Board includes 2 other LSVTs (Moat and Suffolk Heritage) and one ALMO (Colchester Borough Homes). Greenfields and Braintree DC each has a vote on the Board; those LAs with stock have 2 votes.

1.7 The Allocations sub-group with representatives from each of the authorities and LSVTs has been working on the details of the draft Allocations Policy and feeding back at regular intervals to the Project Board.

2.0 Detail

2.1 Under the proposed scheme, housing applicants will be placed into one of 5 bands. Applicants in band A have the highest priority and those in band E the least priority. The biggest single change is therefore the addition of one new band over the current scheme.

2.2 The details of which housing factors are placed within this banding structure are explained in the Scheme Guide (link -

2.3 The banding scheme is very similar to the existing Braintree banding scheme but some changes have been made which take into account guidance issued by the DCLG issued in April 07.¹

2.4 The differences between the current Braintree banding scheme and the draft sub-regional scheme are contained in Appendix 1.

2.5 It is proposed that there will be one application form for use within the sub-region (possibly different colours for each authority). If an applicant applies and has a local connection to the sub-region then he/she will receive the same priority across the whole sub-region which means that only one application needs to be made.

3.0 Cross Boundary Mobility within the sub-region

3.1 The government's policy objective for CBL is that schemes are developed on a sub-regional basis involving a partnership of Local Authorities, Housing Associations and, where possible, private landlords in order to achieve the greatest choice and flexibility in meeting need. Funding for the Greater Haven Gateway partnership was provided on condition that the scheme allowed freedom of movement within the Sub-region.

3.2 The CBL Partnership believes that it is both reasonable and practical to establish a system which allows the majority of properties within the sub-region to be open for selection by applicants with a connection to the sub-region. This unrestricted freedom of movement option was discussed in detail by the Project Board members and formulated on the basis of evidence both from a number of pilot CBL schemes and also the successful sub-regional grant recipients from 2006.

3.3 Despite understandable concerns that this would lead applicants in high demand areas to select homes in areas with less demand, it has been established that in practice the average amount of cross boundary mobility remains fairly static at around 5%. The evidence also indicates that mobility is more prevalent around the administrative boundaries and where, for instance, schools and health service catchment areas do not reflect the limitations of two-tier local government.

3.4 Evidence gathered as part of the options approach to this issue has demonstrated that the existing level of movement within the current lettings system is already at this 5% level. Therefore, although sub regional mobility could be seen as a radical approach, there remains some confidence that this will not result in any of the Partners being disadvantaged.

3.5 The Project Board recommends that this arrangement be subject to a one-year trial period after which it is reviewed to assess the reality and impact of cross boundary movement. Furthermore, that at regular intervals during this time, both inward and outward migration will be carefully monitored and adjustments made to the ability of applicants to select homes in a particular local authority area. This would mean that if one authority were disadvantaged more than others, then that authority could restrict the ability of applicants without a local connection to the district to apply until they had fallen back into balance.

¹ Allocation of Accommodation : Choice Based Lettings - <http://www.communities.gov.uk/documents/housing/pdf/153041>

3.6 There are some exceptions to the cross boundary policy. The policy would not apply to housing on rural exception sites and there may be schemes that are specialised (for example supported housing) or where local connection is defined through Section 106 Agreements that apply criteria that is incompatible with cross-boundary lettings.

3.7 Statutory homeless applicants for whom a local connection is an essential part of the legal process of eligibility will only be allowed to select homes in their local area.

3.8 Move on from supported housing (nominations) placed in Band A will also be required to bid in their own local authority as these people rely upon continued support as part of their resettlement and move to full independence. They will therefore only be allowed to select homes in their local area.

4.0 Risk Implications

4.1 The most significant change to the allocation policy has already been taken. The change from a points scheme to a banding scheme which was made in the autumn is far more significant than the proposed changes to the banding scheme. In addition, both the existing and the proposed schemes feature sufficient safeguards to allow changes to be made if the outcome of applying the policy leads to undesirable outcomes.

4.2 The principle risk to the Council and to Greenfields centres around the balance between allocations made to homeless households and those made to people seeking to transfer (usually to a larger home). If the proportion of new lets to homeless households does not keep pace with the number of people becoming homeless, the Council will experience serious problems. If, on the other hand, the number of transfers increases significantly, void costs to Greenfields also increase.

4.3 The new policy is not changed in any way that is likely to change the balance that currently exists. The change to a system based on customer choice is far more significant than the specific policy changes proposed and we intend to monitor thoroughly the outcomes of the scheme as it develops. It may be necessary to set quotas for different types of move in order to maintain the balance that currently exists.

4.4 There is a much greater risk in not adopting the proposed changes. Banding schemes have become more common as more CBL schemes have been set up around the country. Government guidance has been published in the last year and there have been legal challenges to lettings policies that have led to case-law being established. Some of the recommended changes to bring us in line with the sub-region are responses to the guidance and legal precedence now established.

5.0 Resource Implications and Progress

5.1 The new policy has no financial implications. Choice Based Lettings itself does have financial implications but these are being explored by the Project Team in which the Council and Greenfields participate.

5.2 The financial impact to both organisations will be clearer as the process of procuring the IT system progresses.

5.3 It was agreed that Babergh DC would take the procurement lead for the IT system and the sub-regional scheme is expected to be implemented late in 2008. The policy changes proposed will not be implemented immediately but be brought in as the new scheme starts. This is because we would otherwise incur costs revising our IT to take the changes to the policy into account. This would be wasted if we then transferred to a new IT supplier.

6.0 Equalities Impact

6.1 The new policy has no greater impact on equalities than the existing policy. However, like the financial impact, the impact on equalities of the CBL system itself will need to be scrutinised before implementation. For example, the system needs to work properly for all applicants, regardless of their ability to access the Internet.

6.2 As we plan the scheme, we are working on a strategy for vulnerable people to ensure the new system does not disadvantage those least able to express their housing preferences. We have already started the consultation on this aspect of our work and we would suggest that this is reported on closer to the point of implementation.

7.0 Future Possibilities

7.1 The CBL system will allow a complete overhaul of how we approach housing. Council and Greenfields offices will have to be equipped with computers for assisted use by the general public. Our role will change from directly allocating housing to a concentration on advising people of their housing options. The system will include not just social rented opportunities but also mutual exchange, shared ownership and in the future may also include private rented homes.

7.2 The system will enable on-line applications to a central register, instead of 8 councils all operating the same system separately. It will enable RSLs to connect directly to advertise their properties, to be contacted with the shortlist for each vacancy and to access the original application. This will help RSLs to target support services and to assess any risks posed by applicants.

7.3 We are also considering whether links with relevant advertisers (such as utility companies, insurance and removals businesses) may facilitate an income from the scheme to cover some of the costs involved. In the longer term, we may also explore using a Freeview channel to enable people to choose a property by pressing the 'red button' on their remote.

APPENDICES:

1. Differences between current Braintree policy and Draft Greater Haven Gateway Policy
2. 'Screen shots' of Colchester's current system, showing how the system operates

Further Information

- Scheme Guide <http://www.braintree.gov.uk/NR/rdonlyres/4E077311-5FA7-470B-AF28-ECDA601DBE41/0/ConsultationonChoiceBasedLettingsSchemeandBandingPolicy.pdf>
- Full copy of Draft Allocations Policy is available on the website link - <http://www.braintree.gov.uk/NR/rdonlyres/B97E52FD-C399-4F45-B2BA-1A110FCD9934/0/SubRegionalAllocationPolicy.pdf>

Appendix 1

Differences between Braintree's Allocation Policy and the Sub Regional Allocation Policy

	Current Braintree Allocation Policy	Changes via Sub Regional Allocation Policy	Reasons for change
1.	4 Priority Bands Bands A to D	5 Priority Bands Bands A to E	<p>In line with recent Government Guidance (issued 2007), applicants who have low levels of preference/priority must not be included in the same priority band with those applicants who have been found to have no housing need.</p> <p>In order to comply with this guidance, it has been agreed to include an additional band which will provide a distinction between applicants with low housing need (Band D) and no housing need (Band E).</p> <p>Under the new policy, Band D will comprise the following:</p> <ul style="list-style-type: none"> • People with a housing need but no connection to the sub-region <i>and</i> • People with a housing need but whose application has been given with 'reduced preference' (Please see point 5 below)
2.	Emergency Card Currently available for emergency cases that require immediate assistance.	No Emergency Card Provision	<p>Following the example set by Colchester Borough Council, the emergency card provision was included in Braintree's allocation policy.</p> <p>Since the allocation policy has been adopted, there has never been any requirement to use this provision. All emergency cases have been assisted through Band A assessments.</p> <p>Based on the experiences to date, it is felt there is no further need to have an emergency card provision.</p>
3.	Tenants Incentive Scheme Currently placed in priority Band B.	Tenants Incentive Scheme Move to priority Band A for social housing applicants residing in 3 or 4 bedroom properties and giving up 2 bedrooms.	<p>It is felt that this change in priority level will facilitate the best use of stock.</p> <p>There is a need to have further discussion about the funding and operational factors relating to the Tenants Incentive Scheme.</p>

4.	Applicants currently with no housing need Currently priority Band D	Applicants currently with no housing need Will become priority Band E	Applicants in Priority Band D, with no housing need will be moved into Band E. Please refer to point 1 above, for further information.
5.	Suspensions	Reduced Preference/Priority Rather than applying a suspension to an application, reduced preference will be awarded.	<p>Under current Government guidance, it is not permitted to implement blanket suspension policies.</p> <p>Currently Braintree only suspends applications following a full case review and investigation. In cases of former tenancy arrears, every effort is made to ensure that the applicant addresses the arrear via a repayment plan before consideration is given to suspending their application.</p> <p>In the future, a reduced preference will be applied to applicants who have former tenancy arrears and these applications will be placed into Band D. We will continue to assist applicants in addressing their former tenancy arrears via repayment plans.</p>
6.	Applicants with Multiple Needs Currently assessed via the Medical and Social Welfare Panel	Applicants with Multiple Needs Qualification to a particular priority band will relate to the number of criteria an applicant meets in the relevant priority band/s.	<p>Recent case law and guidelines have prompted many organisations to review how they assess applicants with multiple needs.</p> <p>In order to comply with guidelines, applicants with multiple needs must be considered for a higher banding priority. The following process aims to address the issue of multiple needs.</p> <ul style="list-style-type: none"> ▪ Applicants who have two or more of the criteria in Band B, and they are not homeless, will awarded Band A priority. ▪ Applicants who have four or more of the criteria in Band C, will be awarded Band B priority. <p>It is anticipated that the only applicants with multiple needs qualifying for Band A priority will be those who qualify on the grounds of:</p> <ul style="list-style-type: none"> ▪ high medical needs and overcrowding (the medical factors should not relate to the overcrowding, but should be in addition),and ▪ applicants under the Tenants Incentive Scheme with

			<p>high medical needs</p> <p>It is believed that it will be very unusual for applicants currently awarded Band C priority to qualify for four or more of the criteria.</p>
7.	<p>Homeless Effective Date (for those accepted under homeless provisions)</p> <p>Currently the Homeless effective date relates to the decision date or the date relating to placement into temporary accommodation (whichever is the earliest).</p>	<p>Homeless Effective Date. (for those accepted under homeless provisions)</p> <p>The homeless effective date will be the date of the homeless presentation/application.</p>	<p>Recent case law and guidance states that homeless applicants must be given an effective date which is the same as their date of presentation/application. The view is that applicants should not be penalised because of the time taken to reach a decision on their homeless application.</p>
8.	<p>Medical and Welfare Effective Date</p> <p>Currently the effective date relates to the date they were awarded additional priority.</p>	<p>Medical and Welfare Effective Date</p> <p>The medical and welfare effective date will be the date the applicant submitted their application.</p>	<p>Recent case law and guidance states that applicants must be given an effective date which relates to the date of their application. The view is that applicants should not be penalised because of the time taken to reach a decision on their homeless application.</p>
9.	<p>Accepted homeless applicants with children of the opposite sex, who are entitled to a 3 bedroom property</p> <p>Currently applicants will only be entitled to a 3 bedroom property once the eldest child reaches the age of 5 years old.</p>	<p>Accepted homeless applicants with children of the opposite sex, who are entitled to a 3 bedroom property</p> <p>There will be no change to the procedure, however efforts will be made to ensure that all homeless applicants understand that they will only be entitled to a 2 bedroom property until the eldest child reaches 5 years old.</p>	<p>Further clarity and reduce confusion.</p> <p>For information, all other housing register applications (ie non accepted homeless applicants), with children of the opposite sex will be considered as follows:</p> <p>a) Existing Social Housing Tenants</p> <p>All existing tenants will be placed into priority Band C if the children are under the age of 5 years old. Once the eldest child reaches 5 years old, they will be moved to priority Band B and their effective date will reflect the date they moved into the new priority band.</p> <p>b) Private Tenants</p> <p>All applicants who are private tenants will be placed into priority Band E if the children are under the age of 5 years old. Once the eldest child reaches 5 years old, they will be moved to priority Band C and their effective date will reflect the date they moved into the new priority band.</p>

10.	<p>Caravan or mobile home Currently applicants who reside in a caravan or mobile home are placed into priority Band D. If they have additional needs, they would be advised to apply for medical and/or social welfare priority.</p>	<p>Caravan or mobile home Applicants who fall under this criteria will be placed into priority Band E. If the applicant lacks facilities, they will be placed into priority Band C.</p>	<p>This addition will ensure that applicants lacking facilities are given the correct level of priority and not forced to make a medical and/or social welfare application.</p>
11.	<p>Multiple Households sharing accommodation Currently no specific provision. Applicants would be advised to apply for medical and/or social welfare priority.</p>	<p>Multiple Households sharing accommodation This category will include adult children who reside with their parents. Under such circumstances, the applicant will be awarded priority Band C.</p>	<p>This addition will enable those individuals unable to access accommodation to be given consideration. This additional category has been included following member comments particular in relation to new schemes in villages, subject to local lettings policies.</p>

Appendix 2: 'Screen shots' of Colchester's current CBL system

The screenshot shows a Microsoft Internet Explorer browser window displaying the Colchester HomeChoice website. The address bar shows the URL: <http://www.homechoiceatcolchester.org.uk/Data/ASPPages/1/3.asp>. The website header includes the HomeChoice @ colchester logo and a navigation menu with links for Home, Properties, My homepage, Recent lets, Application form, and Contact. The current location is identified as 'Property search'.

The main content area is titled 'Property search' and features a section for 'Current & Upcoming letting cycles:' with the following list:

- Colchester Standard 18/01/2008 to 23/01/2008
- Colchester Standard 01/02/2008 to 06/02/2008

Below this is a form titled 'Enter your property requirements below' with the following fields:

- Lettings area:
- Advert Types: CBL Property, Mutual Exchange Property
- Number of bedrooms:
- Sheltered:
- Address:
- Adapted:
- Landlord:
- Search button

A 'Hint' section at the bottom of the form reads: 'Hint: If you wish to see all available properties then leave the boxes blank and just click the Search button. If you only wish to see Sheltered properties then make sure the Sheltered check box is ticked.'

Annotations on the screenshot include:

- A callout box pointing to the 'Property search' title: 'This was the 'property search' page for 18 Jan'.
- A callout box pointing to the 'CBL Property' checkbox: 'Applicants can choose to look for properties available for letting or mutual exchange opportunities.'
- A callout box pointing to the '2 Bed' dropdown: 'Here, we have selected CBL properties with 2 bedrooms without specifying any other details'.

The Windows taskbar at the bottom shows several open applications, including 'Contacts - Mi...', 'Rent arrear g...', 'COMMENTS ...', 'Agenda ASC ...', 'rent arrear g...', 'COMMENTS ...', 'Sue Moore bi...', and 'Colchester H...'. The system clock shows 10:53.



Property 3059 - STURMER COURT



STURMER COURT
QUEEN ELIZABETH
WAY
COLCHESTER
ESSEX
CO2 8LU

Area: Monkwick

Occupancy: 2
bedrooms

Landlord: Colchester
Borough Council

- Flat
- 2nd floor
- Heating: Gas central heating
- Communal garden
- Communal parking
- Own bathroom
- Not suitable for pets

Further Information

2 bed second floor flat. Suitable for up to 2 children.

Costs

Rent:	£ 60.46
Service charge:	£ 2.21
Other charges:	£ 0.00
Total:	£ 62.67
Payment cycle: Weekly (50 weeks)	

Eligibility requirements

- Any band

Priority (in this order)

- Priority will be given to the highest band
- Priority will be given to the oldest list date

This is the property selected on the previous page

Property details can include restrictions such as suitability for pets and number of parking spaces that allow people to consider their own priorities.

If an applicant had 'logged in' with their PIN number given when they apply, they would be able to click a button on this page to indicate they would like to be considered for this property.



Your current location: Recent lets

Recent Lets

The results for properties advertised between 04/01/2008 and 09/01/2008

Outcomes for Colchester

Area	Address	Bedrooms	Property type	Client Band	Effective date	Primary Preference	No of bids
New Town	ATTLEE GARDENS, GOLDEN NOBLE HILL, CO1 2AQ	1 Bed	Flat	B	13/09/2007		114
Highwoods	ELIZABETH CLOSE, COLCHESTER, CO4 9YU	2 Bed	House	B	22/11/2007		65
Highwoods	BERKLEY CLOSE, COLCHESTER, CO4 9RR	2 Bed	House	E	11/12/2007		73
Highwoods	BERKLEY CLOSE, COLCHESTER, CO4 9RR	2 Bed	House	E	11/12/2007		73
Ipswich Road	VALENTINES DRIVE, COLCHESTER, CO4 0AH	3 Bed	House	E	18/10/2007		108
	WILLOW TREE COURT, COLCHESTER, CO4 9S2	2 Bed	Flat	B	29/01/2007		29
	WILLOW TREE COURT, COLCHESTER, CO4 9S2	2 Bed	House	B	01/08/2006		79
	WILLOW TREE COURT, COLCHESTER, CO4 9S2	1 Bed	Flat	B	13/09/2007		109
	WILLOW TREE COURT, COLCHESTER, CO4 9S2	2 Bed	Flat	B	07/01/2008		35
	WILLOW TREE COURT, COLCHESTER, CO4 9S2	1 Bed	Flat	B	12/04/2005		30
	WILLOW TREE COURT, COLCHESTER, CO4 9S2	2 Bed	Flat	B	20/11/2007		16
	WILLOW TREE COURT, COLCHESTER, CO4 9S2	1 Bed	Flat	B	13/09/2007		56
	WILLOW TREE COURT, COLCHESTER, CO4 9S2	1 Bed	Flat	B	13/09/2007		105
Sheltered Greenstead	ENOCH HOUSE, HAWTHORN AVENUE, CO4 3LH	1 Bed	Sheltered flat	B	17/08/2005	Sheltered	13
Greenstead	ROSALIND CLOSE, COLCHESTER, CO4 3JH	2 Bed	Flat	B	22/11/2007		49
Birch Glen	DARWIN CLOSE, COLCHESTER, CO2 8US	3 Bed	House	E	18/10/2007		138
Lexden	DE BURGH ROAD, COLCHESTER, CO3 5BQ	2 Bed	House	E	11/12/2007		61
Lexden	NELSON ROAD, LEXDEN, CO3 9AP	1 Bed	Flat	B	13/09/2007		109
Stanway	NEW FARM ROAD, STANWAY, CO3 0PG	2 Bed	Bungalow	A	04/07/2007		25
Monkwick	STURMER CLOSE, QUEEN ELIZABETH WAY, CO2 8LU	2 Bed	Flat	B	07/01/2008		24
Tiptree	ELM CLOSE, TIPTREE, CO5 0NN	1 Bed	Flat	C	02/11/2005		19
Sheltered Stanway	WINSTREE COURT, HOLLY ROAD, CO3 0RS	1 Bed	Sheltered flat	C	27/04/2006	Sheltered	18

This page is always available to display the outcome of lettings for previous weeks. Because it indicates how many applicants were interested in each individual property, applicants witness the overall level of demand for specific properties and can make decisions based on clear, up-to-date, relevant information. There is no such feedback available to applicants through a conventional system as operated currently in Braintree.