

SUBJECT: Monmouthshire Homesearch Housing Register – Minor Policy Amendments & Delivery Update

DIRECTORATE: Enterprise

MEETING: Cabinet

DATE: 2nd September 2015

DIVISION/WARDS AFFECTED: All Wards

1. PURPOSE:

- 1.1 To consider proposed minor amendments to the common allocation policy between the Council and Monmouthshire, Melin and Charter Housing Associations to meet the requirements of Part 2 of the Housing (Wales) Act 2014 which came into effect on 27th April 2015.

2. RECOMMENDATIONS:

- 2.1 To agree and adopt the minor amendments to the policy with effect from 26th August 2015. **(See Appendix 1, and 2).**

3. KEY ISSUES:

- 3.1 The Allocation Policy was introduced in 2011 and was last reviewed in 2013. The Policy facilitates a common housing register and allocation policy between the Council, Monmouthshire, Charter and Melin Housing Associations, and more recently with Derwen and United Welsh who have joined the partnership. The Allocation Policy, the Housing Register and the Choice Based Letting scheme (CBL) under the banner of Monmouthshire Homesearch, is administered by Monmouthshire Housing Association, through a dedicated team, on behalf of the Council and the other partners, thereby, creating a single point of access for service users.
- 3.2 The Policy utilises a Banding system to assess housing need and determine an applicant's priority. Allocations are made through the CBL Scheme whereby applicants actively express an interest (bids) for vacancies which are advertised through a range of methods.
- 3.3 In addition to ensuring the policy continues to meet the Council's aims, the policy now needs to be updated to reflect the legislation within the Part 2 of the Housing (Wales) Act 2014. The Act has introduced new legislation to ensure that a much greater emphasis is placed on homeless prevention and gives the Council a new power to discharge their homelessness duties through finding accommodation through the private rented sector.
- 3.4 The minor amendments **(See Appendix 1)** consist of:
- Update the policy with reference to the Anti-Social Behaviour Crime & Policing Act 2014
 - Include a statement with regards to the Rent (Agriculture) Act 1976

- Amend the Bandings to reflect section 167 (2) of the Housing (Wales) Act to include within reasonable preference all applicants now owed the new sections 66, 73 or 75 duty.
- Update the policy with reference to the Allocation of Housing and Homelessness (Eligibility) (Wales) Regulations 2014.
- Amend the Choice and Preference Options of the policy with regard to those that the authority owe a s75 duty. The Private Sector Housing Team (PSHT) will bid on suitable properties on behalf of applicants who fail to bid for 13 weeks. Any suitable offer from bids placed by the PSHT will be deemed to be the Council's final offer under s75 Part 2 Housing (Wales) Act 2014.
- Amend the Choice and Preference Options of the policy to reflect that homeless applicants who refuse to accept one suitable offer of accommodation may well have their homeless duty ceased but will still have a right of review.
- Update the policy with reference to the ASB Crime and Policy Act.
- Add 'Bypassing' Policy as Appendix to policy. **See Appendix 2**

4. REASONS:

- 4.1 The Council has a statutory duty to periodically review its allocation policy and a review project plan has been implemented for 2015. In addition the Housing Act 1996, as amended by the Homelessness Act 2002, requires authorities to have a published scheme, which determines the priority and procedure for allocating housing accommodation. Also, reasonable preference must be given to those individuals with a high level of housing need.
- 4.2 The policy has been amended to add clarity as to when an applicant may be overlooked by introducing a Bypassing Procedure (see Appendix 2)

5. RESOURCE IMPLICATIONS:

- 5.1 Monmouthshire Housing will continue to administer the policy on behalf of the Council at a rate of £40,000 per year

6. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:

- 6.1 There are no implications relating to this report. **See Appendix 3.**

7. SAFEGUARDING AND CORPORATE PARENTING IMPLICATIONS

- 7.1 There are no implications relating to this report.

8. **CONSULTEES:** Cabinet Member for Environment, Public Services & Housing; Chief Officer for Enterprise; Homesearch Partners

9. **BACKGROUND PAPERS:** Welsh Government Code of Guidance for the Allocation of Accommodation & Homelessness, April 2015; Allocation of Housing Register Health-Check, January 15 – Andy Gale

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