FINDING THE RIGHT HOME IN TELFORD and WREKIN

Telford & Wrekin Housing Allocation Policy 2021

February 2021 v2

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FINDING THE RIGHT HOME IN TELFORD and WREKIN

TELFORD & WREKIN'S HOUSING ALLOCATION POLICY, 2021

1. Introduction

1.1 This document sets out Telford & Wrekin Council's Updated **Housing Allocation Policy, 2021**. It provides the basis for the allocation of social housing for rent by local housing associations (registered providers) in the borough and describes how these properties will be let. It also helps to inform how the Council and housing associations will work together to meet local housing need. This is an update of the Council's current Housing Allocation Scheme, published in June 2015.

1.2 The Council's Community Plan – 'To Protect, care and invest to create a better borough: 2020 onwards describes what the Council will deliver over the medium term and how it will do this. It sets out a number of key priorities for housing including:

- Every child, young person and adult lives well in their community
- All neighbourhoods are a great place to live
- Our most vulnerable residents will be empowered through housing choices for all to support independence, health and well-being.
- Homelessness and rough sleeping will be tackled, through prevention, support and facilitating housing solutions.

1.3 This Allocation Policy sets out Telford & Wrekin Council's key objectives and priorities to be considered by housing providers in the allocation of the social housing in the borough. It also includes the process for applying for social housing in the borough, who is eligible for social housing and the Council's priorities for housing allocation. The Policy also describes how the Council will work with housing associations to nominate applicants to them who are in housing need.

1.4 The document describes:

- The background to this document and its purpose
- The strategic and operational context in Telford and Wrekin
- The current options available for meeting housing need and the arrangements for accessing them.
- How housing need is assessed and prioritised
- The legal and statutory framework
- The Council's priorities for the allocation of social and other forms of affordable housing (including nominations from the Council).
- The key principles that the Council would like providers to have regard to in the development or review of their Tenancy Policies.
- Future monitoring and review arrangements.

2. Social Housing and Allocations

2.1 Social housing is one of a number of options to meet local people's housing needs. The Council works in partnership with housing associations – or registered providers (RPs) - and local housing developers to increase the supply of new social housing in Telford and Wrekin and to protect existing homes. It is also working closely with local private landlords to develop the private rented sector in the borough.

2.2 All local housing authorities are required to have a local Housing Allocation Policy and Allocation Scheme which sets out priorities between applicants for housing. This must also describe the procedure to be followed when allocating housing accommodation. Local providers are expected to have regard to this in making their housing allocations, which includes when they receive a nomination for housing from the local housing authority – Telford & Wrekin Council.

2.3 The Regulator of Social Housing (RSH) regulates the providers of social housing to ensure that they are able to deliver homes that meet a range of needs, The Regulator's Tenancy Standard sets out how housing associations should:

> *'… Let their homes in a fair, transparent and efficient way. They shall take into account the housing needs and aspirations of tenants and potential tenants'.*

and

> *'…demonstrate how their lettings: (a) make the best use of available housing (b) are compatible with the purpose of the housing (c) contribute to local authorities' strategic housing function and sustainable communities'*

The Tenancy Standard also states that:

> *'Registered providers shall co-operate with local authorities' strategic housing function, and their duties to meet identified local housing needs. This includes assistance with local authorities' homelessness duties, and through meeting obligations in nominations agreements'.*

2.4 The recent Charter for social housing residents: social housing white paper (2020) highlights four key improvements needed for housing allocation:

- To improve joint working between local authorities and housing associations to ensure that social housing is being allocated efficiently
- To remove barriers to accessing social housing for homeless households
- To ensure that vulnerable households are able to navigate allocations systems
- Improve access to suitable homes for people with disabilities.

2.5 While a Council is able to nominate to housing association properties, the association is still entitled to check whether the nomination is acceptable to them under their own policy, and can refuse any nominee that would be disqualified. Many associations also have local lettings policies which are agreed with the local authority which relate to specific housing developments or geographic locations.

2.6 Local authorities must also prepare and publish a **Tenancy Strategy.** This is included at **Appendix 1** and sets out the matters to which registered providers are to have regard in formulating their policies on tenancies.

2.7 The overall aim of the Council's Housing Allocation Policy is to ensure that social housing provided by local housing associations in Telford and Wrekin is allocated fairly and objectively to those in greatest need. It has regard to the legislative requirements and codes of guidance & regulations set by the Ministry for Housing, Communities and Local Government (MHCLG) and the Regulator of Social Housing (RSH). It is also intended to meet the following specific objectives:

- Enable everyone to make **informed choices** about their housing options, including potential providers
- **Prevent homelessness and help people resolve their housing problems** by giving advice and assistance to everyone
- Explain the **council's priorities** for those in housing need and to housing providers and other organisations
- To make sure that the housing needs of **vulnerable** applicants and those in **priority need** are given reasonable preference
- Enable the **best use to be made of all available housing** in the social sector, and all other affordable housing types within the borough
- Help to promote **sustainable communities**.

2.8 The Council's policy will also enable those who do not have a housing need (as defined within this policy) to secure their own accommodation by providing them with advice on the housing options available.

2.9 The Council must comply, and demonstrate its compliance, with the Equality Act 2010 by assessing the impact of its Housing Allocation Policy on the protected groups. This is particularly significant when exercising its freedom under the Localism Act 2011 (see below) to disqualify applicants.

2.10 This document will be of interest to a number of groups including local housing providers, organisations working with people who need housing and people in housing need. The Council will consult with these organisations and groups as part of the process of preparing this document. It will also produce a short summary of its Housing Allocation Policy which will be made placed on its webpages and made available widely.

3. The Local Context

Introduction

3.1 The Council's Housing Allocation Policy and Tenancy Strategy responds to the local strategic and operational context, as both are key to meeting local housing needs.

The Council Plan and Supporting Strategies

3.2 Telford & Wrekin Council's vision and priorities are set out in the Council Plan, its programme to Protect, care and invest to create a better borough: 2020 onwards. This describes what the Council will deliver over the medium term and how it will do this. It identifies five priorities to achieve this vision:

- Every child, young person and adult lives well in their community
- Everyone benefits from a thriving economy
- All neighbourhoods are a great place to live
- The natural environment is protected and the Council is taking a leading role in tackling the climate emergency
- Telford & Wrekin is a community-focussed, innovative Council providing efficient, effective and quality services.

3.3 At the heart of the Council's vision is the need to address the significant inequalities that still exist in the borough. It will try to ensure that everyone, no matter what their background and circumstances, benefits from a strong economy, can fulfil their potential and live well, in a good, safe home. As a Co-operative Council, this approach will be informed by the views and voices of our residents, communities and partners. These must shape and influence what we do and how we do it if we are to continue to create a better borough.

3.4 The new priorities are clearly linked to individual service areas aims and objectives as set out in their Service Strategies, including for Housing, Employment and Infrastructure which are:

- Stronger, sustainable communities and neighbourhoods will be tackled through place shaping
- Our most vulnerable residents will be empowered through housing choices for all to support independence, health and well-being.
- Homelessness and rough sleeping will be tackled, through prevention, support and facilitating housing solutions
- Better homes will be delivered for all.

3.5 The Council's new, overarching **Housing Strategy, 2020 - 2025** also provides an important framework for the Housing Allocations Policy (and Tenancy Strategy). Their respective priorities are:

- To create sustainable, accessible, affordable and integrated communities.
- To make the best use of our existing homes.
- To provide homes to support and empower our most vulnerable residents.

3.6 The Council's Homelessness Strategy 2017 -2022, produced under the Homelessness Act 2002, sets out how the Council will prevent and address statutory and non-statutory homelessness. This includes its new responsibilities under The Homelessness Reduction Act 2017 to prevent and relieve homelessness for households threatened with homelessness within 56 days (or homeless now). There are four priorities:

- Ensure that high-quality housing advice is accessible and well promoted to all to ensure that households or other support services which are able to identify their own housing solutions are able to do so
- Join up Council and external services to prevent homelessness arising wherever possible
- Ensure that temporary accommodation is well managed and meets the needs of the service, ensuring people move onto sustainable housing as soon as possible – minimizing the use of bed and breakfast accommodation
- Work with partners to support vulnerable groups and prevent rough sleeping.

<u>The Local Housing Market</u>

3.7 The borough's housing market is shaped by a number of factors:

- Our population is continuing to grow, it is also changing including ageing and becoming more diverse
- There are high levels of new home building and an increasing number and range of housing providers
- The housing tenure mix is changing. The private rented sector is growing, owner occupation is falling and the social housing sector is fairly stable
- There is a continuing unmet need for more affordable homes with an estimated net shortfall of over 660 affordable homes for local people every year, most of these should be for rent
- In 2019 the cost of housing was over six times annual earnings (based on median sales prices and earnings)
- Housing affordability varies across the borough with higher affordability/income ratios and lack of supply in certain parts including the rural area and Newport
- Homelessness and rough sleeping is still a significant issue
- There is a growing need for supported and specialist accommodation for older people and people who are vulnerable
- Some homes in the borough require urgent renewal as part of wider regeneration programmes
- There are concerns about physical and management standards in some parts of the borough's housing stock
- Long term empty homes in the borough are comparatively low but still pose issues in areas for the Borough
- There are households in the Borough in fuel poverty.

3.8 While local efforts to prevent homelessness are effective, it continues to be a significant issue in the borough:

- Families with children are still the group most commonly accepted as homeless, the proportion of acceptances has decreased, and the heads of the household tend to be younger
- Acceptances for domestic abuse have increased

- 16/17-year-olds represent a significant proportion of acceptances, although there has been an overall decline
- All local agencies are seeing significant numbers of people discharged homeless from institutions
- Rough sleeping is increasing, as is single, non-statutory homelessness
- There is a need for additional appropriate 'move-on accommodation' to make most effective use of supported and other short-term housing.

Approaching the Council

3.9 The Council does not operate a local housing register or waiting list and encourages households in housing need to apply directly to appropriate local housing associations.

3.10 Households who are homeless, or threatened with homelessness, can approach the Council's Housing Solutions Team for advice and support. Over the twelve months from 1 January 2020 to 31 December 2020, 1,506 households contacted the Team – on average around 125 each month.

3.11 Of the approaches, almost three quarters (1,125) were for a **wide range of circumstances** outside the direct control of the applicant, including loss or unsuitability of an existing home, relationship breakdown and financial issues. After this almost 10% (146) needed a home for various **legal** reasons, whilst 8.6% (129) were currently **sleeping rough**. For a further 7% (106) of customers there was insufficient information to determine their current position.

3.12 Almost 70% (1,042) needed one bed accommodation, while 28.4% (428) required two or three bedrooms. Where applicants have approached the Council under a range of different circumstances, 64% need one bed (724) and 33% two or three bedrooms (375). For the other categories a very high proportion of the need is for one bedroom homes.

3.13 Where applicants approach the Council directly in these circumstances, it will consider nominating them to a housing association when there is a suitable vacancy.

3.14 All housing associations also have their own allocation policies and applicants for housing must meet their respective eligibility criteria.

Social Housing in Telford and Wrekin

3.15 Telford & Wrekin Council transferred its housing stock to a number of housing associations in 1999. The Council does not now have its own housing stock and social housing in the borough is owned and managed by housing associations. However, the Council still has important housing responsibilities which contribute to providing opportunities to improve the borough and residents' lives.

3.16 The social housing sector is a key part of the borough's housing provision. There are around 13,500 housing association homes in Telford and Wrekin (as of March 2019). This has fallen from 14,000 in 2015. While 1,647 new affordable homes were provided in the borough between 2014 and 2019, some 1,465 – the equivalent of 89% have been lost to the sector due to sales and redevelopments. *[N.B. To update in February 2021 when new data is released)].*

3.17 The Wrekin Housing Group is the largest housing association in the borough with around 9,700 homes (at 31 March 1999) *[to update February 2021].* The next three largest associations – Bromford, Bournville Village Trust and Sanctuary – together own 3,300 homes. There are also a number of other housing associations and social housing providers in the borough who together own around 500 homes – some of these are also building new homes. Over the last ten years the number of new associations owning or managing homes in the borough has increased.

3.18 National welfare reform (specifically the removal of the spare room subsidy or 'bedroom tax') has had a significant impact on the nature of housing demand. As a result, some housing providers in the borough are experiencing:

- increasing demand for smaller properties as under occupiers seek to downsize
- an increase in 'difficult to let' family size properties
- Increasing competition for smaller accommodation between downsizing households and those in housing need.

3.19 Welfare reform also introduced the shared accommodation rate for private tenants who are under 35 years of age and claiming local housing allowance. Claimants are unlikely to be able to afford self- contained accommodation in the private rented sector, adding to the overall demand for one-bedroom social houses.

3.20 These changes have led some housing providers to review their own housing allocation policies. Providers are also developing more new homes that are smaller, including new one bedroom flats and houses.

3.21 Housing associations are now able to let new and relet homes at *affordable* rents at up to 80% of open market value, rather than at *social* rents set in relation to local house prices and incomes. They are also able to offer 'flexible' or fixed term tenancies.

4. Accessing Social Housing in Telford and Wrekin

Background

4.1 While Telford & Wrekin Council is not a social landlord, it is still the strategic housing authority for the borough. It retains important responsibilities for meeting local housing needs including providing housing advice & assistance and preventing & addressing homelessness.

4.2 The Council does not operate a local Housing Register or Waiting List for social housing. However, it supports households using the different routes to find a home in the borough. These include:

- **Applying direct** to a local housing association(s) - this will be the way most households find a home (see paras 4.3 – 4.6 below)

- In some cases, the Council will **make a nomination** of a household to a housing association from its Nominations Pool (4.7 – 4.9)

- Seeking advice and information from the Council's **Housing Solutions Service**. This will support households to identify potential options and, if possible, to 'self-serve'. (4.10 – 4.16).

Applying direct to a Housing Association

4.3 Most households in need of social housing will apply direct to a local housing association. The larger housing associations in the borough, have over time, moved from their own individual waiting list systems to a common housing register and then to 'Choice Based Lettings' (CBL) arrangements, including *Choose Your Home*. In 2015 this was replaced by a new CBL system – *Homes Direct* – operated by Midlands Heart. At the same time the largest provider, Wrekin Housing Group, created its own separate *'*managed waiting list'. Midlands Heart closed *'Homes Direct'*, on 31 March 2021 and at present there is no shared arrangement.

4.4 There are now a greater number of routes into social housing in Telford and Wrekin. Local housing associations have set up, or are in the process, of setting up their own individual arrangements for allocating their homes in the borough. Some of these are 'choice-based, while other use a traditional housing waiting list or register. Details of the systems in place to access individual associations stock in Telford and Wrekin are provided on the Council's website *(to add link).* This will be updated regularly and provides direct links and information on the advice and support available to all residents seeking housing and/or threatened with homelessness.

4.5 Other associations with a smaller number of homes in the borough have their own arrangements for allocating their homes. This may include their own waiting list or register, advertising vacancies as they arise or seeking nominations from The Council. They may also have age-related, area-based or eligibility requirements. These associations include:

- Alpha
- Accord
- Anchor Hannover
- Boughey Roddam
- Connexus
- Habinteg
- Home Group
- Housing 21
- Shropshire Rural
- YMCA

Full contact details and links are provided in **Appendix 2** and via the Council's web site.

Nominations by Telford & Wrekin Council

4.6 Local authorities are able to make nominations to local housing associations in order to assist in meeting local needs. Associations will have regard to the Council's housing allocations policy but will let homes in accordance with their own respective allocations policies. Some of the associations (see para 4.5) are currently working to formalise the way in which households in housing need are nominated, or referred, by the Council.

4.7 A joint Nominations Agreement has been developed, and the new arrangements are currently subject to a trial period to April 2022. The Agreement is part of Telford & Wrekin's Housing Allocation Policy and includes details of:

- How associations will inform the Council of social housing vacancies
- How the Council will make its nominations
- The main stages in the nominations process and timescales
- How the arrangements will be monitored and evaluated.

4.8 The nominations trial arrangements will be monitored by the Council working with the local Registered Provider Forum to assess their effectiveness and the experience of customers.

Telford & Wrekin's Housing Solutions Service

4.9 Telford & Wrekin Council provides a strong and pro-active housing options approach as part of its overall Housing Services. A single housing hotline is available for anyone facing homelessness or who is in need of housing advice, support or other assistance. As part of this the Service:

- Offers households in housing need support to access the best housing solution available for them – this might include, for example, housing association accommodation, private rented housing, low cost home ownership or help to 'stay put' in their existing home
- Promotes realistic expectations about the availability of social housing
- Helps to ensure that social housing is focussed on those who need it most.

4.10 The Council offers a full information and advice service to people who are looking for a home to rent or are at risk of becoming homeless. Individuals are able to register and set up an account on the Council's Advice and Support webpage. Once registered, individuals can check on the progress of their case, upload pictures of any documents required or view any letters that have been sent.

4.11 For individuals who are looking for a home to rent The Council can provide information on renting a home from:

- Housing associations
- Nuplace – The Council's wholly owned housing company which provides private rented accommodation including a number of specialist homes
- Private landlords.

4.12 Telford & Wrekin Council also operates *'Telford Homefinder'* – a web-based Lettings Agency. This advertises:

- private rented accommodation where the landlord and property have been accredited by the Council
- selected homes to rent from certain local associations.

4.13 For individuals who are homeless or concerned about the possibility of losing their home the Council encourages them to seek advice at the earliest opportunity. Individuals may register using the *'Housing Jigsaw'* website and arrange to discuss their circumstances with The Council's Housing Solutions Team. Individuals will also be able to follow the status of their case.

4.14 The Council will work proactively to prevent homelessness wherever possible. In some cases, the Council will provide temporary accommodation including:

- whilst it investigates a case under homelessness legislation
- to some households who appear to be homeless and who are prioritised under homelessness legislation.

4.15 Temporary accommodation will only be used as a last resort and for a short period of time in cases where there are no other suitable housing options are available.

5. The Legal Context

5.1 *1996 Housing Act* (amended) requires all housing authorities to have a Housing Allocation Scheme, regardless of whether they own housing stock. This must take account of the local context, including their current tenancy and homelessness strategies.

5.2 The Secretary of State has determined that the following groups of people are **ineligible** for social housing (and also homelessness assistance) and should not be made an offer of accommodation:

- Those subject to immigration control and not re-included by Regulations
- Those persons from abroad prescribed by Regulations to be ineligible.

Through their Housing Allocation policies local authorities are able to define who is **qualifies** for an allocation of social housing, including those in reasonable preference or additional preference categories. This section focuses on qualifying persons.

5.3 Even though Telford & Wrekin does not have its own housing stock it must still adopt and publish a Housing Allocation Policy as, by law, it allocates homes when it:

- Nominates a person to be a secure or introductory tenant of accommodation held by another housing authority or
- Nominates a person to be an assured tenant of accommodation held by a housing association.

5.4 The Housing Allocation Policy must:

- Comply with relevant legislation and regulations
- State how social housing in the local area will be let (e.g. offering a choice of housing accommodation, or the opportunity to express a preference)
- Set out details of who qualifies for social housing, including who is ineligible

5.5 Housing authorities must also:

- Make all allocations (and nominations) in accordance with their Allocations Policy
- Publish a copy of the Allocations Scheme and make it available free of charge to any person who asks for a copy.

5.6 Allocation Policies must give **reasonable preference** (but not necessarily equal weight) to applicants with certain housing needs (over those who do not have them):

a) People who are homeless. This includes applicants where there is a statutory duty to rehouse as well as applicants who are intentionally homes and those who are not in priority need
b) People who are owed a duty by any housing authority
c) People occupying **unsanitary or overcrowded housing** (based on 'the bedroom standard) or otherwise living in unsatisfactory housing conditions *
d) Applicants who need to move on **medical or welfare grounds**, including grounds relating to disability *
e) Applicants who need to move to a particular locality in the district of the housing authority, where failure to meet that need would cause **hardship** (to themselves or others).

**Possible criteria for c) and d) are provided in the Code of Guidance.*

5.7 However:

- There is no requirement to give greater priority to people who fall within more than one reasonable preference category ('cumulative preference')
- Similarly, those in these categories should not necessarily be given absolute priority over everyone else
- Housing authorities are encouraged to be flexible to meet local needs and priorities.

Eligibility

5.8 Housing authorities may also give **additional preference** within their scheme to people who fall within their statutory reasonable preference criteria and have urgent housing needs. This should be based on local circumstances and may include, for example:

- Those who need to move urgently because of a life-threatening illness of sudden disability
- Families in severe overcrowding which poses a serious health threat
- Those who are homeless and require urgent re-housing as a result of violence or threats of violence (including intimidated witnesses), and those escaping from domestic abuse.

Government Guidance

5.9 The latest guidance for local authorities on Housing Allocation schemes is set out in the 'Allocation of accommodation: guidance for local housing authorities in England' (December 2020). This was updated to take account of the situation post-Brexit.

5.10 This includes the changes introduced by the Localism Act:

- Local authorities must frame their allocations policy by reference to their homelessness and tenancy strategies
- The right to a review (appeal) is extended to applicants that are determined not to qualify for the register, including the right to be informed of the decision of the review and the grounds for it
- Authorities must not disqualify the following applicants on the ground that they do not have a connection with the authority's district:
  - Members of the Armed forces and former Service personnel, where the Application is made within five years of discharge
  - Bereaved spouses and civil partners of members of the Armed Forces following the death of their spouse or partner
  - Serving or former members of the Reserve Forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service. In addition, injured members of the forces or their bereaved spouses must be given additional preference compared to others with similar housing needs.

5.11 The Localism Act also gave each local authority the freedom to disqualify certain types of applicants. Examples may include:

- People with no local connection – either a term of residence in the area, or a strong connection with it
- People with no housing need or who do not fall within the reasonable preference groups
- Owner-occupiers (unless they cannot afford to meet their own housing needs)
- People with a history of severe tenancy breaches (including rent arrears) or antisocial behaviour
- People who have worsened their own housing circumstances
- People who have refused offers, failed to attend viewings or not actively engaged in the property application process.

5.12 The Localism Act also introduced the requirement for each local housing authority to prepare and publish a Tenancy Strategy. This must set out the matters to which Registered Providers are to have regard in formulating their own policies on tenancies. Providers are now no longer required to let general needs homes on the most secure form of tenancy possible but can now offer tenancies on shorter terms. Telford & Wrekin Council's Tenancy Strategy is set out in a separate document.

5.13 In the new guidance the government indicates that it will regulate to require councils to give additional preference to the following reasonable preference categories and who have urgent housing needs:

- Former members of the Armed Forces
- Serving members of the Armed Forces who need to move because of serious injury, medical condition or disability sustained as a result of their service
- Bereaved spouses and civil partners of members of the Armed Forces leaving Services Family Accommodation following the death of their spouse or partners
- Serving or former members of the Reserve Forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service.

6. Priorities for the Allocation of Social Housing in Telford and Wrekin

Overview

6.1 This part of the Allocation Policy describes the Council's priorities for the allocation of social housing by housing association in Telford and Wrekin to applicants who qualify for social housing. This may be through a **direct letting** or in response to a **nomination by the Council**. It includes:

- Details of the priorities that the Council would like housing associations to take account of when making their housing allocations
- How the Council wishes to use the **flexibilities** provided by the Localism Act
- The Council's priorities and processes for making nominations of households to housing associations – a component of its Allocations Policy.
  More detail on specific aspects of housing allocations including Local Lettings Plans, the local connections policy, Low-Cost Home Ownership and supported/specialist accommodation.

6.2 The Allocation Policy and priorities for housing are based on a number of groups. There are **four groups** under which the housing circumstances of applicants may be considered. The bands take into account applicants who should be given 'reasonable preference', 'additional preference groups and local lettings priorities. Registered Providers should consider these when allocating their general needs homes. The Council will use these groups to help determine where it is able to offer assistance and support to secure other forms of housing, e.g. private rented housing.

6.3 The Council wishes to see *'additional preference'* given to the following households or individuals:

- Those who would otherwise become homeless, which a planned move could prevent
- Those supported by Council homelessness prevention initiatives
- Those whose health will significantly deteriorate without a move
- Those moving on from supported or specialist accommodation
- Those in adapted properties where the adaptations are no longer required
- Those needing to move to take up employment or to make it easier to get to work
- Households living in overcrowded accommodation
- Those who are under occupying a home which could be used to provide a home for a larger family.

6.4 The Allocation Policy is based on **four** priority groups:

- Emergency and high priority
- Urgent need to move
- Identified housing need
- Low housing need

Full details of the specific needs in these categories are set out below:

Table 1. Allocation Policy - Priority Groups

Criteria	Examples of need
Emergency and high priority	▪ Statutory Homeless applicants who are owed a full housing duty ▪ Medical & care emergency ▪ Move to allow major repairs, modernisation or redevelopment ▪ Overcrowding and short of 3 or more bedrooms ▪ Ongoing domestic abuse or harassment that can only be resolved by moving home ▪ Applicants leaving the armed forces ▪ Under occupying by 1 or more bedrooms.
Urgent need to move	▪ Other homeless applicants and those who are under threat of being homeless ▪ Applicants moving on from supported or specialist accommodation (with the agreement of the provider) ▪ Care leavers ▪ Overcrowding and short of 2 bedrooms ▪ Lacking basic facilities ▪ Families with children under 10 years old living in upper floor flats with no lifts ▪ Loss of tied accommodation ▪ Applicants needing to move to take up employment or to make it easier to get to work.
Identified housing need	▪ Applicants who have been approved as foster or adoptive parents and require an additional bedroom to facilitate a placement ▪ Applicants who need to be closer to family and friends ▪ Applicants with any other reasonable housing needs ▪ Overcrowding and short of 1 bedroom ▪ Sharing facilities with another household ▪ Property in minor disrepair.
Low housing need	▪ Applicants who have no identified housing need ▪ Applicants who have deliberately worsened their housing circumstances ▪ Applicants who are in debt to a current or previous landlord for rent, service charges and other property related recharges and don't have an agreement in place.

The Council may vary these bands or priorities from time to time but will consult on any proposals to significantly change these.

Local Flexibilities

6.5 Under the Localism Act (see above) local housing authorities have the freedom to disqualify certain types of applicants or give them a lower priority. The Council wishes to promote the following flexibilities in its Allocation Policy.

- *Local connection*

  Priority for all forms of social housing should generally be given to local people. This includes established local residents and those who have a strong local connection with the borough including significant previous residence, local employment or family links. The definition of local connection used by the Council is set out in **Appendix 3**.

  While there is currently a general shortage of housing supply in relation to need, in some areas the supply of certain property types, such as three/four bed family homes or certain types of specialist housing, may be greater than current demand, leading to long empty property times. Applicants who do not meet the local connection definition are not excluded from applying for social housing. They may however be placed in the lowest priority band.

  Housing applicants will be given the opportunity to establish a local connection, for example there they have no connection elsewhere, are fleeing domestic abuse, need to move to take up work or supply an essential service, or need to support or care for close relatives or be supported or cared for by them. Armed forces personnel discharged within the last five years will have a right to local connection.

- *No immediate housing need*

  Applicants with no identified housing need will qualify for the lowest priority band. In some areas there may be an imbalance of supply and demand for certain property types and there is a need to avoid long empty property times.

- *Owner-occupiers*

  Applicants who have the resources to meet their own housing needs would generally not be supported in the allocation of social housing, except where they have high housing needs and are unable to help themselves.

- *People with a history of tenancy breaches*

  Housing Associations' own allocation policies may disqualify an applicant from being offered housing. However, the Council cannot apply this to accepted homeless households. Where the Council wishes to nominate an accepted homeless household who has previously breeched their tenancy (e.g. left with rent arrears) it will provide details of the individual's circumstances to the housing association.

- *People who have worsened their own housing circumstances*

  Where an applicant has deliberately worsened their own housing circumstances they may be placed in the lowest priority band. However, the Council will take into account the applicant's circumstances, e.g. the welfare of children.

- *People who have refused offers of properties or failed to attend viewings.*

  As the Council does not have its own housing stock this qualification is not relevant. Housing associations may include this in their own allocation polices and the Council will ask to be informed if they are refusing a nomination for this reason or do not co-operate in other ways. This will be taken into account, and the Council may no longer the household owe the household a housing duty.

- *Equal Opportunities*

  Telford & Wrekin Council is committed to equal opportunities in housing. We will ensure that priority for housing is based on housing need and housing policies are fair to all sections of the community regardless of age, disability, gender, marriage, civil partnership, pregnancy, maternity, race, religion, belief or sexual orientation.

<u>Nomination by the Council</u>

6.6 While the Council does not operate a housing waiting list or register it maintains a 'pool' of households who sought advice and support and are homeless or at risk of becoming homeless. In 2020 it received over 1,500 formal enquiries from households in this position. The Council currently makes a number of nominations of households in housing need to providers on an informal basis.

6.7 As part of developing the new Allocation Policy the Council has been working with local providers the aim of establishing a formal joint nominations arrangement and to increase the number of successful nominations that are made directly to housing associations. The interim arrangement includes:

- The type of homes that will be included including general vacancies (relets) and new build homes
- The proportion of these to be offered for nomination by to the Council by providers
- Processes and timescales for making and considering nominations

6.8 Where the Council is given the opportunity to make a nomination to a suitable property it will make up to three nominations for consideration. These will be based on the priorities and examples of need set out in the table below. They will include one primary nomination and up to two secondary nominations which are defined as:

- **Primary** - Households in **Relief Duty** under the Homelessness Reduction Act
- **Secondary -** Households in **Prevention Duty** under the Homelessness Reduction Act

In both cases this will include households:

- Who are homeless. This includes applicants where there is a statutory duty to rehouse as well as applicants who are intentionally homes and those who are not in priority need
- Who are owed a specific legal duty by another housing authority
- Occupying **unsanitary or overcrowded housing** (based on 'the bedroom standard) or otherwise living in unsatisfactory housing conditions.

- Who need to move on **medical or welfare grounds**, including grounds relating to disability
- Who needs to move to a particular locality in the district of the housing authority, where failure to meet that need would cause **hardship** (to themselves or others)
- In the Council's **additional preference** categories.

6.9 Where there is more than one nominee with similar levels of housing need, they will be prioritised in the order of the date their enquiry to the Council was validated.

6.10 It has been agreed with the housing associations to trial this arrangement from April 2021 for twelve months. This will allow for monitoring of outcomes, further discussion with larger providers who were not part of Midland Heart's letting system and the possible extension to other, smaller and specialist providers.

Local Lettings Plans

6.11 Local Lettings Plans (LLP) may be used by the Council and providers to allocate homes to specific groups of people whilst still taking account of allocation priorities. LLPs should not discriminate directly or indirectly on any equality grounds.

6.12 The agreement of an LLP will normally be linked to a planning consent for a new housing scheme and included as part of a S106 Agreement for that development. They may also relate to existing homes. LLPs in Telford and Wrekin should cover all affordable tenures including rent and low-cost home ownership (shared ownership or similar).

6.13 The Council will work with RPs in the borough to identify neighbourhoods, areas and schemes which would benefit from a local lettings plan (LLP). LLPs may be used to:

- Enable the allocation of all new schemes to a mix of tenants in order to develop a strong and stable community
- Enable an existing community to become stronger and more stable
- Allow those living in rural areas, or areas of high demand in relation to supply, to have priority for schemes in their village or locality.
- Enable more sensitive lettings on schemes for a number of reasons

6.14 LLPs will include details of:

- Aims and objectives
- Letting criteria, for example age, household size/composition, personal circumstances, employment, local connection.
- Types of tenancies
- Scope and duration
- Monitoring and review arrangements
- Equalities Impact Assessment.

6.15 LLPs may also be agreed in other circumstances where there is evidence that local communities would benefit from such a plan and there is no significant adverse impact on other communities.

6.16 The Council will work with RPs on the preparation of LLPs to ensure that they are agreed formally before a property is advertised or allocated. In addition:

- The equalities impact of an LLP will be considered before it is agreed
- LLPs will have clear criteria which are published when a property is advertised

- All LLPs will include a formal date for a joint review to ensure that they are still appropriate and relevant.

Local Connection Policies

6.17 In rural parts of the borough and some other areas, e.g. Newport, the Council will use its planning powers to influence the initial allocation and subsequent relet of all new social properties (for rent or low-cost home ownership). These will be restricted in the first instance to established local residents of the parish (or those that that have a strong local connection to it) and who have a housing need. This will be achieved by the use of a legal S106 agreement linked to the planning consent which will set out the local connection criteria and the timescales after which the search for applicants can be widened out. In rural areas and certain other areas, the Council will seek to work closely with the respective Parish Council or equivalent. Full details are provided in Appendix 3.

6.18 Most of the existing social properties in rural parishes are not subject to a legal agreement restricting their allocation to applicants with a local connection. However, the Council will encourage housing providers to relet them in future using LLPs to prioritise applicants with a local connection.

Low Cost Home Ownership

6.19 The local connection criteria and allocation processes described above will also apply to other forms of affordable housing, including shared ownership housing in rural parishes and other selected areas. These homes should be advertised though the mechanisms described above. They may also be promoted in other ways, e.g. local newspapers, newsletters or websites. The Council also strongly encourages RPs to advertise these properties through the local Help to Buy Agent. (Include link) Applicants should demonstrate that they are unable to afford to buy on the open market in the location where they have a local connection and are also able to afford their full housing costs.

Supported and Specialist Housing (including Extra care housing)

6.20 Potential applicants may be referred to this form of housing by a key worker from housing, social care, health or probation. For some schemes applications may be invited. There are schemes available for:

- Younger people
- Older people
- Ex-offenders
- People with mental health needs
- Drug and alcohol abuse
- Victims of domestic abuse
- Homeless people
- Adults with learning disability
- Adults with a physical or sensory disability.

6.21 Some supported or specialist accommodation may be for short period, perhaps between 6 months and 2 years. Some accommodation may be long term or a ‘home for life’.

6.22 More information on supported and specialist housing in Telford and Wrekin is available on the Council’s webpages.

7. Arrangements for Monitoring & Review

7.1 The Council will monitor the implementation of its Housing Allocation Policy by working with local housing associations and other providers. It may update this document from time to but will consult on any significant changes.

REFERENCES

- The Housing Act, 1996
- The Localism Act, 2011
- Allocation of accommodation: guidance for local housing authorities in England (2021) MHCLG

APPENDIX 1

TELFORD & WREKIN COUNCIL TENANCY STRATEGY

Introduction

Under the Localism Act 2011 local housing authorities must prepare and publish a Tenancy Strategy. This must set out the matters to which housing associations (Registered Providers) social housing providers are to have regard in formulating or reviewing their policies on tenancies. Housing associations should consider it every time they review their policies.

Under the Localism Act housing associations no longer have to let general needs homes on the *most secure form of tenure* possible but can offer a 'flexible' or fixed term tenancy on affordable and social rented homes. All associations must set out their approach to tenure in their own tenancy policy. This should explain:

- The kind of tenancies they will create
- The circumstances in which they will do this
- The length of tenancy terms
- The circumstances in which a further tenancy will be granted.

Links are provided below (to follow) to the tenancy policies of the largest housing associations in the borough:

- Bournville Village Trust (BVT)
- Bromford Housing Group
- Housing Plus
- Trident
- Sanctuary
- whg
- The Wrekin Housing Group

Use of Fixed Term Tenancies

The Council's preference is for use of secure, lifetime tenancies. However, it recognises that housing associations have the flexibility to offer fixed term tenancies of various lengths. Where associations do use fixed term tenancies the Council requests that:

- A minimum five-year fixed tenancy is used. This provides greater stability and certainty for tenants and families. It will also help to create a sustainable community
- Longer tenancies (for example, 10 years) are used where the property is specialist or adapted to meet the needs of a disabled person
- Lifetime tenancies are used for sheltered housing or extra care housing
- Shorter tenancies (for example, two years) are used where someone is expected to move on to more permanent accommodation or requires short term housing
- Tenancy type to be maintained when a tenant transfers within an association's stock
- Fixed term tenancies are not used to address breeches of tenancy, where there are existing legal remedies
- The termination of fixed term tenancies should not be linked to household income.

Where a fixed tenancy is used, providers should give tenants appropriate advice and information about their housing options at the time of letting and when a carry out a tenancy review.

The Council expects providers to renew all fixed term tenancies other than where the tenant's circumstances have changed significantly, e.g. significant under occupation, where specialist housing is no longer required. In these cases, tenants should be treated sensitively and offered a more suitable home with the same or other housing association.

The Council supports the use of introductory or probationary tenancies by providers for new tenants.

Reviewing a Fixed Term Tenancy

Providers should set out within their Tenancy Policy how frequently a fixed term tenancy will be reviewed and the factors that will be considered, e.g. size of property/family composition, special features/adaptations and the continued need for them. The review should assess a tenant's circumstances and explore their available housing options.

A tenant should be given at least six months' notice if a provider is planning to end a tenancy. The providers should give reasons for the decision to end a tenancy and information on how to make an appeal.

Providers should formally notify the Council's Housing Solutions Team immediately where they have taken a decision not to renew a tenancy.

A tenant should be allowed to remain in their property at the end of the tenancy until a suitable alternative has been found.

The Council will work with local housing providers to monitor the use of fixed term tenancies, including their review, renewal and termination.

Council Housing

Telford & Wrekin Council will offer all new tenants of Council-owned supported accommodation an introductory tenancy of twelve months. At the end of the introductory period tenants will be offered a Flexible Tenancy for at least two years, after which it is expected that the tenant will be assisted to transfer to 'Move-On' housing.

Should the Council introduce housing solutions that require longer term occupation - such as the National House Project for Young People Leaving Care - it will offer introductory tenancies for 12 months, followed by either a Flexible Tenancy for a minimum of 5 years or a Secure Tenancy.

Where the Council is providing accommodation under Part 7 of the Housing Act 1996 - where a household is owed relief or a main duty, requires appropriate support and is not in temporary accommodation - an Assured Shorthold Tenancy with another landlord may be provided as part of achieving long term independence.

The Council will offer licences to people it places in temporary accommodation.

Affordable Rents

The Council recognises that many new fixed term tenancies for social housing are at *affordable* rather than *social* rents. It will monitor the extent to which affordable rents are actually affordable to people in housing need, particularly in the light of national welfare reforms. In some cases or geographic areas, the Council will encourage the letting of social homes at social rents. The Council also expects providers to consult with it over proposals to convert social rented relets to affordable rents.

Nominations

Telford & Wrekin Council expects to retain its nomination rights to social housing vacancies. It will seek the assistance of local providers to use these to discharge or meet its statutory duties and strategic housing responsibilities.

APPENDIX 2

CONTACT DETAILS

Telford & Wrekin Council

Service	Telephone	Web site
Housing Solutions Team	01952 381925	https://www.telford.gov.uk/info/20668/do_you_need_advice_about_renting_in_telford/351/housing_services
Telford Homefinder	01952 388117	https://thf.telford.gov.uk/Home/ContactUs

Housing Associations

Organisation	Telephone	Web site
Bournville Village Trust (BVT)	0300 333 6540	https://www.bvt.org.uk/
Bromford	0330 1234 034	http://www.bromford.co.uk/
Housing Plus	0300 300 0059	https://www.housingplusgroup.co.uk/contact#
Sanctuary	0800 131 3348 (landline)/ 0300 123 3511 (mobile)	http://www.sanctuary-housing.co.uk/
Trident	0800 111 4944	https://tridentgroup.org.uk/residents#
whg		https://www.whg.uk.com/
The Wrekin Housing Group	01952 217100	https://www.wrekinhousingtrust.org.uk/

APPENDIX 3

LOCAL CONNECTION POLICIES

Defining a Local Connection

For the purposes of this Allocation Policy a *local connection* to the borough as whole will be considered to be:

- Lived in the borough for three of the last five years *or*
- Employed in the borough or have a firm offer of employment in the borough (employed means anyone working more than 16 hours per week in the borough, but excluding casual work) *or*
- Returning to live in the borough having lived there previously for not less than three years *or*
- Have close family in the borough who have lived there for at least three years (Close family means a close relative such as a parent, grandparent, adult child, grandchild, adult sibling, common-law partner or civil partner) *or*
- Need to live in the borough to care for, or receive care from close relatives (same definition as close family) or
- Have special circumstances which the local authority may consider to warrant the applicant living in the borough

Local Connection and Rural Parishes in Telford and Wrekin

The Rural Area of Telford and Wrekin includes the following parishes:

- Chetwynd
- Chetwynd Aston & Woodcote
- Church Aston
- Edgmond
- Ercall Magna
- Eyton upon the Weald Moors
- Kynnersley
- Lilleshall & Donnington (rural part)
- Little Wenlock
- Preston upon the Weald Moors
- Rodington
- Tibberton & Cherrington
- Waters Upton.
- Wrockwardine (rural part)

For the purposes of this Allocation Policy a *local connection* to a rural parish will be considered as:

- Lived in the parish for three of the last five years *or*
- Employed in the parish or have a firm offer of employment in the parish (employed means anyone working more than 16 hours per week in the parish, but excluding casual work) *or*
- Returning to live in the parish having lived there previously for not less than three years *or*
- Have close family in the parish who have lived there for at least three years (Close family means a close relative such as a parent, grandparent, adult child, grandchild, adult sibling, common-law partner or civil partner) *or*
- Need to live in the parish to care for, or receive care from close relatives (same definition as close family) or
- Have special circumstances which the local authority may consider to warrant the applicant living in the parish.

'*Cascade arrangements'* will operate as follows:

a) If within one month of the property being advertised no applicants who meet the above local connection criteria can be identified, the property can be allocated to persons who have a local connection to bordering parishes provided that they are within the Borough of Telford and Wrekin.

b) If within a further month no applicants who have a local connection to bordering parishes can be identified, the property can be allocated to persons who have a local connection to any rural parish in Telford and Wrekin.

c) If within a further month no applicants who have a local connection to any rural parish in Telford and Wrekin can be identified, the property can be allocated to persons who are housing need and are normally resident in the Borough of Telford and Wrekin.

A Local Lettings Plan will be agreed between Telford & Wrekin Council, the local Parish Council and the Registered Provider. This will ensure that properties are allocated in accordance with the criteria, without individuals' information being shared.