



Havering

LONDON BOROUGH

TOWNS & COMMUNITIES OVERVIEW & SCRUTINY COMMITTEE AGENDA

7.30 pm

Wednesday
24 October 2012

Town Hall, Main Road,
Romford

Members 9: Quorum 3

COUNCILLORS:

Conservative Group
(5)

Residents' Group
(2)

Labour Group
(1)

**Independent
Residents' Group**
(1)

Damian White
(Chairman)
Wendy Brice-
Thompson
Osman Dervish
Garry Pain
Linda Trew

Linda Hawthorn
(Vice-Chair)
June Alexander

Paul McGeary

Michael Deon Burton

**For information about the meeting please contact:
Richard Cursons (01708 432430)
E-mail: richard.cursons@havering.gov.uk**

What is Overview & Scrutiny?

Each local authority is required by law to establish an overview and scrutiny function to support and scrutinise the Council's executive arrangements. Each overview and scrutiny committee has its own remit as set out in the terms of reference but they each meet to consider issues of local importance.

They have a number of key roles:

1. Providing a critical friend challenge to policy and decision makers.
2. Driving improvement in public services.
3. Holding key local partners to account.
4. Enabling the voice and concerns of the public.

The committees consider issues by receiving information from, and questioning, Cabinet Members, officers and external partners to develop an understanding of proposals, policy and practices. They can then develop recommendations that they believe will improve performance, or as a response to public consultations.

Committees will often establish Topic Groups to examine specific areas in much greater detail. These groups consist of a number of Members and the review period can last for anything from a few weeks to a year or more to allow the Members to comprehensively examine an issue through interviewing expert witnesses, conducting research and site visits. Once the topic group has finished its work it will send a report to the Committee that created it and it will often suggest recommendations to the executive.

Terms of Reference

The areas scrutinised by the Committee are:

- Regulatory Services
- Planning and Building Control
- Town Centre Strategy
- Licensing
- Leisure, arts, culture
- Housing Retained Services
- Community Safety
- Social and economic regeneration
- Parks
- Social inclusion

AGENDA ITEMS

1 **APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS**

(if any) - receive.

2 **DISCLOSURE OF PECUNIARY INTERESTS**

Members are invited to disclose any pecuniary interest in any of the items on the agenda at this point of the meeting. Members may still declare an interest in an item at any time prior to the consideration of the matter.

3 **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman will announce details of the arrangements in case of fire or other events that might require the meeting room or building's evacuation.

4 **MINUTES** (Pages 1 - 12)

To approve as a correct record the minutes of the meetings of 5 July and 14 August 2012 and to authorise the Chairman to sign them.

5 **REQUISITION OF EXECUTIVE DECISION - REVISED HOUSING ALLOCATION SCHEME AND NEW TENANCY STRATEGY** (Pages 13 - 166)

Report attached

6 **OLYMPIC LEGACY**

Presentation to the Committee by the Head of Culture and Leisure Services

7 **TOWN CENTRE REGENERATION**

Presentation to the Committee by the Council's Regeneration Manager

8 **PARKS AND OPEN SPACES** (Pages 167 - 182)

9 **URGENT BUSINESS**

To consider any other item in respect of which the Chairman is of the opinion, by reason of special circumstances which shall be specified in the minutes, that the item should be considered at the meeting as a matter of urgency.

Ian Buckmaster
Committee Administration and
Member Support Manager

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**MINUTES OF A MEETING OF THE
TOWNS & COMMUNITIES OVERVIEW & SCRUTINY COMMITTEE
Havering Museum
5 July 2012 (7.30 - 9.00 pm)**

Present:

Councillors Damian White (Chairman), Linda Hawthorn (Vice-Chair), Wendy Brice-Thompson, Michael Deon Burton, Osman Dervish, Paul McGeary, Frederick Osborne (In place of Linda Trew) and Frederick Thompson (In place of Garry Pain)

1 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS

Apologies were received from Councillors Ray Morgon, Gary Pain (Frederick Thompson substituting) and Linda Trew (Fred Osborne substituting).

Councillor Lesley Kelly was also present.

Officers present:

Tony Huff, Acting Chief Executive Homes in Havering
Simon Parkinson, Head of Culture and Leisure Services
Sue Witherspoon, Head of Housing and Public Protection

Ian Wilks, Chair, Havering Museum (part of meeting).

2 DISCLOSURE OF PECUNIARY INTERESTS

Councillor Thompson declared an interest as he was a director of Havering Museum.

Councillor Brice-Thompson declared an interest as she was married to Councillor Thompson.

3 CHAIRMAN'S ANNOUNCEMENTS

The Chairman informed everyone present of the arrangements in case of fire or other emergency requiring the evacuation of the building.

4 MINUTES

The minutes of the meeting held on 1 May 2012 were agreed as a correct record and signed by the Chairman.

5 HOMES IN HAVERING

The Head of Housing and Public Protection thanked the Committee for the invitation and confirmed that, currently, the Council and Homes in Havering (HiH) remained separate organisations.

The ALMO had been set up originally as it was the option chosen, after consultation, to receive and administer the Decent Homes funding from the Government. The HiH Board was made up of four Councillors, four tenants and four independent directors. The Council was the sole shareholder in the HiH company.

The Comprehensive Spending Review following the 2010 election agreed to keep the Decent Homes Programme but required Councils to now find 10% of the funding direct. There was no longer a requirement to keep an ALMO in order to obtain the Decent Homes funding. Havering had been allocated a total of £62.7 million funding compared to an original bid of £112 million although this was still considered sufficient to deliver the Decent Homes programme.

The Council undertook a consultation with tenants between October 2011 and February 2012. The Council's offer to tenants and leaseholders indicated that Council control would allow costs savings of at least £300,000 per year by for example combining Council and HiH call centres. The Council had also undertaken to maintain the quality of service and to deliver the Decent Homes programme.

The results of the consultation had indicated that 31% of tenants had wanted to keep HiH and 48% wished to return to Council control while 19% had not indicated a preference. This had resulted in Cabinet deciding in March 2012 to bring HiH back into the Council with a target to achieve this by 1 October 2012. A project board for the reintegration had been established, chaired by Cynthia Griffin. The HiH Board had agreed they would sign the termination agreement at their next meeting in early September and the Acting Chief Executive added that the independent directors wished to make sure that the directors were discharging their responsibilities properly.

It was confirmed that TUPE regulations did apply to the transfer and an HR sub-group was considering this. All permanent HiH staff would transfer to the Council on the same terms and conditions. There would be around 150 permanent staff transferred with a further 20-30 staff on fixed term contracts which would be extended to the end of March 2013. The TUPE protection period would last two years but reorganisations could still be undertaken during this period.

There would not be many changes for tenants as a result of the transfer and there would be no change to the tenancies themselves. The HiH Board

would be abolished and a residents' forum set up with the proposal that this be chaired by the relevant Cabinet member.

The new organisation would be called Havering Homes and Housing Service although the only immediate changes as regards branding etc would apply to letterheads and signage at the Chippenham Road building. Staff would not be moved from Chippenham Road and rebranding costs would be kept to a minimum. The overall costs of the transfer would not be more than the savings from the transfer generated in year one i.e. £300,000. The Council's logo would be put on the HiH website with effect from 1 October 2012 but it was planned to have dual websites running for a period of three months.

Councillor Kelly explained that the rebranding was needed as it was important that the Council showed tenants that their requests for change had been listened to. The Council wished to avoid having a two-part service which would be confusing for tenants.

The termination agreement had been reached amicably with a unanimous vote of the Board in favour.

The repairs contract with Morrisons expired at the end of July 2013 and would shortly be retendered. It was clarified that Morrisons normally used a sub-contractor for void properties.

It was confirmed that a residents' forum was used in many other areas and the Council felt that it was important to account to tenants. The aim was for the forum to look at the overall standard of service and housing policies etc.

There were approximately 2,500 leaseholders in Havering with around 20% of properties sub-let to others. Leaseholders were also consulted and favoured coming back into the Council. Leaseholders would have two representatives on the residents' forum.

The Committee **NOTED** the update.

6 **JUBILEE CELEBRATIONS AND PREPARATIONS FOR THE OLYMPIC GAMES**

Jubilee Celebrations

The head of culture and leisure services reported that Jubilee events had been held in Havering over a four week period. This included the Big Dance Weekender event in Hornchurch which attracted both older people and children to try ballroom dancing and an open air cinema although the attendance at this was lowered due to the poor weather on the day.

A diamond jubilee market was held on Saturday 28 June and the Romfest event was held on the Sunday. This was however affected by the very poor weather on the day which limited attendance to 2-300. The carnival procession on the day went well. A fun run and sports festival was held in Raphael Park as well as the lighting of a beacon in Havering Atte Bower. The Langtons concert on Tuesday 4 June was attended by 2-3,000 people. Members complimented the head of service on the jubilee events which they felt had been very well organised.

There had been approximately 90 street parties across the borough which was more than many other boroughs. Two open spaces – Brittons Playing Fields and Park Lane Recreation Ground were to be designated as Queen Elizabeth II Playing Fields. This would give the sites extra protection in the planning process and would mean it would be very difficult to develop housing on the sites in the future. Veolia had agreed in principle to fund £25,000 of improvements at each site and the Council was also bidding for national funding for this work.

There would also be a small land swap involving the Dukes Hall car park but the officer confirmed that the same amount of open space would be retained. Further details of the land swap would be supplied to the Committee. Reported problems in the park had now been reduced by the work of the Parks Protection Team.

Olympics Preparation

The head of service reported that a total of £16.5 million of Olympic contracts had been won by Havering businesses. Robust planning had been undertaken for major incidents during the Games period in order to ensure the safety of Havering residents. An emergency planning C3 document had been produced which covered the responsibilities of the Council and Police. 4-5 emergency planning exercises had taken place to allow for planning for different scenarios.

An emergency planning operation centre had been set up in Mercury House which would be in place before the torch relay reached Havering. This would be staffed from 7 am to 7 pm but there would also be on-call arrangements overnight.

It was explained that Havering was in the Park Zone led by Newham and there would be the expectation of cross-borough support in case of Olympic incidents. The Police borough commander was a member of the Havering Olympic Board. Havering Police would provide a normal service during the Olympic period but may have to cover any Olympic-related incidents elsewhere. More use would be made of PCSOs should this occur.

As regards day to day impact, there were no Olympic training venues in the borough although the A13 through Havering was part of the Olympic Route Network with the A12 as a back up route. It was possible that one lane of the route may be set aside for travel to Hadleigh Farm in Essex, the venue

for the Olympic mountain bike event. The Olympic cycle training route ran through Havering for a distance of 400 yards only.

While it was uncertain how many people would stay in Havering, fewer tourists were now expected overall. The proposed campsite in the borough had been cancelled as it had received significantly fewer bookings than expected. There were some concerns about visitors to the Games parking at stations in Havering. Streetcare would open car parks for longer hours and were also looking at using local schools to provide additional parking facilities. There would also be more parking controls in place, especially around transport hubs.

Local businesses had received a lot of advice from Transport for London regarding arrangements during the Olympic period and a number of workshops had been held. Only a few Council services would be affected by the Olympics with possible issues for services such as street care and safeguarding. It was expected that there may be issues with staff who needed to travel through the Stratford area but flexible working and arrangements for working from home were in place for staff.

An augmented safety advisory group had been formed comprising the Council, Police, Health Trusts etc. which dealt with groups wanting to hold large events in Havering. This had improved planning and prevented some events that had not been thought through such as the proposed campsite at Gidea Park rugby club.

The Olympic torch relay would visit Havering on 22 July and it was felt that, if the weather was good, there could be in excess of 100,000 people viewing the torch as it passed through the borough. The route would enter Havering via London Road and visit Romford Market Place, South Street, Hornchurch, the Rainham area and Rainham Hall. Two major celebrations were planned – at Romford Market Place and by the Queen's Theatre with a large event also planned in Rainham. A total of 43 torch bearers would carry the torch through Rainham although not all of these would have a connection to Havering, for example the famous pianist Liang Liang would carry the torch for one leg.

Significant investment had been made in crowd control measures for the torch relay. A total of 83 volunteers had been recruited to help on the torch relay and it was hoped to raise this to 100. Stewards were also being employed. The head of service confirmed that a lot of investment in both time and money had been required to ensure successful management of the event. Some costs would be paid by the Olympic Organising Committee (LOCOG). There would be a large entourage travelling along with the Olympic torch.

The relay was expected to have an impact on areas such as trading standards who aimed to prevent sale of illegal goods, environmental health and street care who would be repairing any potholes along the route. The

Council was trying to purchase two torches for display in Havering Museum and the local studies centre.

The Council was also working closely on Olympic preparations with the health agencies. As regards community safety, 6,000 troops would be camping in Hainault during the Games and it was possible that army personnel could come into the nightlife area of Romford. Community safety and the Police were aware of this.

A number of partner organisations were involved in the risk assessment process for events. The Council was available to provide advice and support. Checks were not run on people joining LOCOG's Olympic Leaders scheme but there was no evidence of any problems with this scheme in Havering.

Maximum numbers had been set at the three main torch relay events and Council staff would try to prevent more people from entering if these numbers were reached. The head of service reiterated that a lot of planning had been undertaken for the torch relay events.

3-400 unaccredited Chinese media would be based in Havering during the Olympics and had hired the former Albermarle Youth House as a media centre. The journalists would be encouraged to spend in the local economy and it was therefore hoped to bring an overall benefit to the borough.

Members expressed a wish to meet with the Chinese media, perhaps in conjunction with the Mayor and the officer agreed to check if this would be possible.

The visitor kiosk in South Street had been well used and the staff working in the unit had been very positive. The head of service agreed to obtain figures for the numbers of people using the kiosk.

The Committee **NOTED** the update,

7 **COMMITTEE'S WORK PROGRAMME 2012/13**

The Committee considered an initial suggested work programme that had been compiled by the Chairman with the assistance of the Committee Officer. It was suggested that perhaps a topic group could be run looking at promotion of Romford shopping facilities and the impact on Romford of the Westfield mall in Stratford. Perhaps the Council's head of communications could attend and brief the Committee on the 'Love Romford' campaign.

It was possible that the Committee could scrutinise issues arising out of the Ageing Well event held earlier in the year and space could be left in the programme for this.

It was also suggested that the Committee could scrutinise the approval of housing developments in the borough and their impact on infrastructure etc. Regeneration areas in Havering could also be considered such as the Briar Road Estate and it was felt useful to also programme in items on the Olympic Legacy and a review of how the Games had impacted on Havering.

Subject to the above comments, the Committee **AGREED** the work programme as presented.

8 **HAVERING MUSEUM**

The Committee was briefed by the Chair of Havering Museum who advised that the museum had now been open for two years and was breaking even. The campaign to build the museum had in fact started in August 1999. He explained that few people felt they lived in Havering as a place, preferring to say they lived in e.g. Collier Row. As such, the museum had been designed with a separate pod for each of the five towns – Hornchurch, Upminster, Rainham, Romford and Havering Village.

Members then toured the museum noting that it included a children's learning zone, reception area and a shop selling the largest selection of local history books in Romford. Displays included audio recollections of local residents as well as interactive screens in each pod.

9 **URGENT BUSINESS**

There was no urgent business.

Chairman

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Public Document Pack

**MINUTES OF A MEETING OF THE
TOWNS & COMMUNITIES OVERVIEW & SCRUTINY COMMITTEE
Committee Room 3B - Town Hall
14 August 2012 (6.30 – 7.10 pm)**

Present:

Councillors Damian White (Chairman), Linda Hawthorn (Vice-Chair), Wendy Brice-Thompson, Osman Dervish, Paul McGeary, Ray Morgon, Linda Trew and Melvin Wallace (In place of Garry Pain)

10 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS

Apologies were received from Councillor Garry Pain (Councillor Wallace substituting).

Councillor Keith Darvill was also present.

Officers present:

Cynthia Griffin, Group Director, Culture & Community
Simon Parkinson, Head of Culture and Leisure Services
Alexandra Watson, Business Unit Manager, Parking

11 DISCLOSURE OF PECUNIARY INTERESTS

There were no interests disclosed.

12 CHAIRMAN'S ANNOUNCEMENTS

The Chairman explained the arrangements in case of fire or other emergency requiring the evacuation of the building.

13 REQUISITION OF EXECUTIVE DECISION - CAR PARKING CHARGES IN PARKS AND OPEN SPACES

Officers explained that a number of alternatives options, as explained in the Cabinet report, had been considered but rejected as they did not meet the dual aims of encouraging more genuine use of the car parks by public users and achieving the agreed MTFS savings.

While there was a barrier in place at Upminster Park, the staff and maintenance costs associated with this meant it was not suitable to be introduced at other parks.

There had been no written complaints over the last two years concerning commuter parking in parks but parks staff had received a number of verbal complaints about this issue. The problem was particularly acute in Lodge Farm Park. Councillor Hawthorn responded however that she had not received any complaints over this issue during her ward work.

It was accepted that there was a typographical error in the Executive Decision which should have shown the saving to be achieved as £40,000. The estimated income from introducing charges at the three parks was £55,000 and the deduction of predicted maintenance costs of £15,000 gave the projected saving of £40,000. It was explained that the collection of money from the meters and enforcement at the car park sites could be met from existing car park resources and patrols. This would be covered by a Service Level Agreement between Parking and Culture & Leisure. The precise impact on the service would not be known until the scheme started but it was reiterated that both the car parks and enforcement teams had indicated they would be able to cope with the introduction of the three additional chargeable car parks.

The introduction of a new Parking IT system would also reduce the workload from the new car parks. This would allow officers to tell from a computer which meters were full and would hence reduce the number of wasted journeys. The service was constantly seeking efficiencies and improved back office IT would help with this.

The estimated income figure had been calculated by assessing the number of spaces available, current usage levels and the estimated hourly use. A resistance had been built in for people who would stop using the car parks once charges were introduced. This had been set at 40% for Upminster Park.

There was not a major issue with carrying out enforcement during school holidays as the service always ensured a full compliment of staff was available.

Officers explained that Upminster Park had been included in the proposals as it did also suffer from commuters and shoppers parking there. There was also a revenue implication of the inclusion but this was not the only reason. A Member felt however that there was no problem at the park with commuters parking there and that it was mainly users of the park and the New Windmill Hall who would be affected by the imposition of parking charges. Other Members felt that the low level of the charges (20p for two hours) would not put people off using the park.

The position in adjacent roads would be monitored by the parking service. It was expected there would be some displacement of parking but it was not

anticipated that this would cause too many problems. Recommendations would be made to the Highways Advisory Committee if necessary should the parking problems in adjacent roads prove more severe than anticipated. Access for emergency vehicles would also be monitored. The implications of the changes for users of the New Windmill Hall and the bowls club in Upminster had also been taken into account by the Lead Member.

On Saturdays, problems caused by commuter and shopper parking were worse during the morning so it had been agreed to not levy the charges on Saturday afternoons in order to assist users of local sports clubs. Charges could not be waived all day on Saturdays due for example to the number of Romford shoppers parking in Lodge Farm Park. Some respondents such as local cricket clubs had indicated they would prefer if the parking charges were not applied on Saturday afternoons only. Officers confirmed that tariff boards would be put in each car park, clearly indicating when charges would apply including the dates of relevant sporting seasons.

It was felt that the introduction of charges would increase the overall number of genuine park users using the car parks. Officers would seek to obtain figures from Streetcare to check if usage of the car parks had in fact increased.

It was explained that changes to the borough-wide parking tariffs could only be made via Cabinet and these charges were currently subject to a five-year assurance level. Officers would check when this assurance period was due to run out. Members felt that parking charges in parks in other parts of the country were in general much higher than in Havering.

The Committee voted **NOT** to uphold the requisition by a majority of five to three. Councillors Hawthorn, McGeary and Morgon voted in favour of upholding the requisition. Councillors Brice-Thompson, Dervish, Trew, Wallace and White voted against upholding the requisition.

Chairman

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TOWNS AND COMMUNITIES OVERVIEW AND SCRUTINY COMMITTEE

24 October 2012

Subject Heading:

Revised Housing Allocations Scheme and New Tenancy Strategy covering the letting and management of housing in the London Borough of Havering

CMT Lead:

**Cynthia Griffin
Group Director – Culture and Community
01708 432260**

Report Author and contact details:

Richard Cursons
Committee Officer
Committee Administration
01708 432430

Policy context:

In accordance with paragraph 17 of the Overview and Scrutiny Committee Rules, a requisition signed by two Members representing more than one Group (Councillors Keith Darvill and Clarence Barrett) have called in the decision of the Cabinet Members dated 26 September 2012. The text of the requisition appears at the end of this report.

CABINET MEMBERS DECISION

Revised Housing Allocations Scheme and New Tenancy Strategy covering the letting and management of housing in the London Borough of Havering

Cabinet AGREED:

1. To approve the draft revised Allocations Scheme attached at Appendix A to the report as the Council's new Allocations Scheme to be implemented with effect from Monday 1 April 2013 and with local lettings policy from 1 October 2012 in accordance with section 7.3 of the Allocations Scheme.
2. The draft Tenancy Strategy attached at Appendix B to the report, with publication before 14 January 2013 and to be implemented with effect from Monday 1 April 2013.
3. To delegate to the Cabinet Member for Housing authority to make any minor amendments to the revised Allocations Scheme and/or Tenancy Strategy, necessitated by any future guidance, further legal advice, national

government or operational requirements, unless these would have a significant financial impact in which case a further report would be brought to Cabinet.

4. To delegate to the Cabinet Member for Housing authority to approve the necessary policies and procedures for reviewing the circumstances of individual households when their fixed term tenancy comes to an end.
5. To delegate to the Head of Housing and Public Protection authority to review the circumstances of every household on the Housing Register to enable a reassessment of their priority for housing prior to implementation of the new Allocations Scheme, and to take measures to protect those households on the Register who had bid for a property within the last three months prior to the implementation date and their bid had been in the top five by affording the Head of Housing and Public Protection the discretion to allow them to continue to bid for a period of three months after the date of the implementation of the new scheme.
6. That in advance of the full implementation of the revised Allocations Scheme on 1 April 2013, Cabinet approved from 1 October 2012 giving notification to households living outside of the borough, except serving and ex-service personnel and other exceptions as included under the revised Scheme of their removal from the Housing Register from 1 April 2013.
7. To delegate authority to the Lead Member for Housing to approve any local lettings policies under the new Allocations Scheme, in particular Dreywood Lodge, formerly known as Snowdon Court.

Reasons for decision:

Housing Allocations Scheme

The Localism Act 2011 gives housing authorities greater freedom and flexibility over which households are and are not eligible for social and affordable rented accommodation. The Council's current Allocations Scheme was approved in 2005 and it was now timely to review the existing scheme in light of the Localism Act and subsequent Code of Guidance and statutory instrument.

Tenancy Strategy

The Localism Act 2011 placed a new duty on housing authorities to publish a Tenancy Strategy by 14 January 2013. Approval and adoption of the Strategy would set out clear guidance and support the Council and registered providers operating in the borough to make best use of social and affordable housing stock in the borough.

Options considered:

Housing Allocations Scheme

1. Not to change the existing Allocations Scheme – REJECTED because the Council would not be availing itself of the new freedoms introduced

under the Localism Act and people in the lowest priority bands would continue to have an unrealistic expectation of securing social or affordable rented housing.

2. Review and amend the Allocations Scheme – PROPOSED so as to remove the problems identified above.

Tenancy Strategy

No alternative was considered because the Council had a statutory duty under the Localism Act 2011 to publish a Tenancy Strategy.

REASONS FOR REQUISITION

1. To review the responses received through the various consultation processes;
2. To consider the delegation authorities contained in the recommendations within the Cabinet Report;
3. To consider the impact on tenants of the Guidance to housing associations on affordable rents;
4. To consider the impact on new tenants and their families of fixed term tenancy that comes to an end;
5. To review the criteria for "exceptional case reviews" to residential qualification requirements to remain on the housing list; and,
6. To review the Community Contribution Reward arrangements within the proposed Allocation Scheme

Councillor Keith Darvill
Councillor Clarence Barrett

RECOMMENDATION

That the Committee considers the requisition of the Cabinet Decision and determine whether to uphold it.

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CABINET

26 September 2012

REPORT

Subject Heading:	Revised Housing Allocations Scheme and New Tenancy Strategy covering the letting and management of housing in Havering borough
Cabinet Member	Councillor Lesley Kelly
CMT Lead:	Cynthia Griffin Group Director Culture and Communities
Report Author and contact details:	Jonathan Geall Housing Needs and Strategy Manager 01708 434606 jonathan.geall@havering.gov.uk
Policy context:	Housing Strategy and Housing Revenue Account (HRA) Business Plan
Financial summary:	The proposals will require a review of all those on the Housing Register, amended literature and other publicity, and an update of the online application form. The financial costs of this work will fall to the HRA. Provision has been made within the 2012/13 HRA budget for the retained Housing Service to deliver this work.
Is this a Key Decision?	Yes
Is this a Strategic Decision?	Yes
When should this matter be reviewed?	April 2014
Reviewing OSC	Towns and Communities

The subject matter of this report deals with the following Council Objectives

Clean, safe and green borough	<input type="checkbox"/>
Excellence in education and learning	<input type="checkbox"/>
Opportunities for all through economic, social and cultural activity	<input checked="" type="checkbox"/>
Value and enhance the life of every individual	<input checked="" type="checkbox"/>
High customer satisfaction and a stable council tax	<input type="checkbox"/>

SUMMARY

This report proposes to Cabinet a fully revised Allocations Scheme covering the eligibility for, and letting of, council housing in the borough. The revisions take account of the new freedoms and flexibilities afforded local authorities with regard to the letting of council homes brought in by the Localism Act 2011. The revisions have been informed by thorough and detailed consultation with residents likely to be affected and stakeholders both within and outside the Council.

The report also sets out a draft Tenancy Strategy for approval. It is a new requirement of each housing authority, brought in by the Localism Act 2011, that a Tenancy Strategy be published by no later than 15 November 2012 covering the authority's approach to the use of fixed term tenancies, rather than lifetime secure tenancies. Housing associations operating in the borough are required to have regard to the Tenancy Strategy when setting their own tenancy policies. Given this influencing role of the Strategy, it also includes details of the Council's approach to affordable rents, these being rents of up to 80% of local market rents, introduced in 2011. The draft Tenancy Strategy has been produced following thorough and detailed consultation with residents, registered providers (also known as housing associations or registered social landlords) and other stakeholders.

RECOMMENDATIONS

1. That Cabinet approves the draft revised Allocations Scheme attached at Appendix A as the Council's new Allocations Scheme to be implemented with effect from Monday 1 April 2013 and with local lettings policy from 1 October 2012 in accordance with section 7.3 of the Allocations Scheme.
2. That Cabinet approves the draft Tenancy Strategy attached at Appendix B, with publication before 14 January 2013 and to be implemented with effect from Monday 1 April 2013.
3. That Cabinet delegates to the Lead Member for Housing authority to make any minor amendments to the revised Allocations Scheme and/or Tenancy Strategy, necessitated by any future guidance, further legal advice, national government or operational requirements, unless these would have a significant financial impact in which case a further report would be brought to Cabinet.
4. That Cabinet delegates to the Lead Member for Housing authority to approve the necessary policies and procedures for reviewing the circumstances of individual households when their fixed term tenancy comes to an end.
5. That Cabinet delegates to the Head of Housing and Public Protection authority to review the circumstances of every household on the Housing Register to enable a reassessment of their priority for housing prior to implementation of the new Allocations Scheme, and to take measures to protect those households on the Register who have bid for a property within

the last three months prior to the implementation date and their bid was in the top five by affording the Head of Housing and Public Protection the discretion to allow them to continue to bid for a period of three months after the date of the implementation of the new scheme.

6. That in advance of the full implementation of the revised Allocations Scheme on 1 April 2013, Cabinet approves from 1 October 2012 giving notification to households living outside of the borough, except serving and ex-service personnel and other exceptions as included under the revised Scheme of their removal from the Housing Register from 1 April 2013.
7. That Cabinet delegates authority to the Lead Member for Housing to approve any local lettings policies under the new Allocations Scheme, in particular Dreywood Lodge, formerly known as Snowden Court.

REPORT DETAIL

1. ALLOCATIONS SCHEME

1.1 Background

The Localism Act 2011 has afforded housing authorities greater freedom and flexibility about which households are and are not eligible for council accommodation, and thus eligible to join the Housing Register, should authorities wish to maintain one.

While housing authorities must continue to afford those with 'reasonable preference' for housing, as defined by the Housing Act 1996, as amended by the Homelessness Act 2002 and the Localism Act 2011, and the attendant Code of Guidance, a degree of priority over those without these characteristics, and while the equalities legislation should not be breached, housing authorities now have the flexibility to:

- set criteria around who may and may not be given social and affordable homes in the borough, and thus accepted onto the Register of those seeking such housing
- devise and apply different rules regarding the allocation of council housing to existing tenants, that is, transfers and to new applicants
- among those with reasonable preference, afford greater priority to those who contribute to their community, notably by working, volunteering or in other ways contributing.

The Council's current Allocations Scheme has remained largely unchanged since its approval by the Lead Member for Housing on 15 April 2005 acting under authority granted by Cabinet on 27 April 2004. Thus, even without the impetus of the Localism Act 2011, it is arguably timely to thoroughly review the existing Scheme.

The Secretary of State also issues Guidance on Allocations from time to time. The most recent Guidance was issued in June 2012, and these final proposals have taken this into account.

In developing our Allocations Scheme, we must also have regard to our own Housing Strategy, Homelessness Strategy, Tenancy Strategy and the Mayor of London's Housing Strategy. Likewise the development of the Tenancy Strategy must also have regard to the Allocations Scheme and the other documents mentioned. Clearly all these documents are refreshed from time to time, and both the Allocations Scheme and Tenancy Strategy will be amended from time to time in order to ensure that the Council has regard to these documents. The current proposals have had regard to the most recent strategies available from these sources.

1.2 'Reasonable Preference'

In essence, the reasonable preference requirements and definition have not been changed by the Localism Act 2011. Thus, in framing an allocations scheme to determine allocation priorities, housing authorities are required to ensure that reasonable preference is given to the following categories of people (note: the exact wording of the Code of Guidance is simplified here for purposes of clarity):

- people who are homeless within the meaning of Part 7 of the Housing Act 1996
- people who are owed a rehousing duty under the homelessness legislation
- people occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions
- people who need to move on medical or welfare grounds, including relating to a disability, and/or
- people 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).

Just as previously, housing authorities are required to have regard to the following considerations:

- the Allocations Scheme must give reasonable preference to applicants with the characteristics listed above, over those who do not
- although there is no requirement to give equal weight to each of the reasonable preference categories, overall, reasonable preference must be given to all of them.

In addition, it was established through case law in 2009 that there is no requirement for housing authorities to give greater priority to applicants who fall within more than one reasonable preference category.

1.3 Consultation on the Allocations Scheme proposals

The Allocations Scheme is, of necessity, a substantial document of some 50 pages or so. From the outset, it was expected that any alteration to the Council's

Scheme that reflected a major policy change would be subject to thorough consultation with members, residents likely to be affected, council services and the Council's housing association and voluntary sector partners and stakeholders.

The following consultation has been completed:

Type of consultation	Stakeholders	Date(s)
Initial consultation event hosted by Havering Council	Registered providers (RPs) operating in the borough	October 2011
Initial consultation	Homes and Communities Agency Registered Providers East London Housing Partnership Havering Citizens Advice Bureau Adult Social Services	November 2011
Online survey and paper questionnaire	Applicants on the Housing Register	January – February 2012
Briefing and consultation	Elected Members	(1) February 2012 (2) May 2012
Briefing	Internal Corporate Management Team	February 2012
Consultation event	RPs, residents associations and third sector organisations	April 2012
Online consultation (and paper survey questionnaire)	(1) and (2) Housing Register applicants, residents, Elected Members, residents and RPs (2) Mayor of London and local solicitors	(1) April – May 2012 (2) July 2012
Two public events	Applicants on the Housing Register, Residents and RPs	May 2012
Follow up forum following 30 April event	RPs, residents associations and third sector organisations	May 2012
Drop-in Q&A session	People on the Housing Register and residents	May 2012
Briefing and consultation	HiH Resident forum, and community forum	June – August 2012

A separate report listing the outcome of various consultation exercises has been compiled and is available as an appendix to this report.

1.4 Key proposed amendments to the Allocations Scheme

The proposed new Allocations Scheme is attached at Appendix A. This section of the report summarises the key proposed policy changes and indicates how the Housing Service has responded to the findings of the various consultation exercises.

Key amendment	Revision (if any) made as a result of feedback during consultation
<p>Introduction of a residency criterion such that to be eligible to join the Housing Register, the household must have been resident in Havering for at least two years</p>	<p>Initial consultation proposed a one year residency requirement. This was extended as a result of internal and resident consultation. A 2 year residency was proposed as this is less than the average private sector lease (PSL) tenancy.</p>
<p>Replacement of the five bands A – E with:</p> <ul style="list-style-type: none"> • a main band, called the Homeseeker band, with priority within this band given to those given Community Contribution Reward by the Council • an Emergency rehousing route for those with the most urgent need to move 	<p>No further amendments to this idea as it was well-supported during consultation</p>
<p>Introduction of a Community Contribution Reward for those in the Homeseeker band who:</p> <ul style="list-style-type: none"> • work at least 16 hours a week • volunteer at least 10 hours a month (or five hours if aged 70+ years) • are Havering Council tenants wishing to downsize • are serving or ex-services personnel • need to move to foster / adopt where this is verified and supported by Children’s and Young Persons’ Services <p>Note: those with a disability such that they could not meet any of these requirements would be given the Community Contribution Reward so as not to be disadvantaged solely because they are disabled</p>	<p>The reduction in the volunteering requirement for older people was added to the proposals in response to residents’ views that older people, though perhaps at least as likely volunteer as younger people, are less able to participate in the same amount of voluntary activity</p>
<p>Retention of choice-based lettings for those in the Homeseeker band (with or without a Community Contribution Reward)</p> <p>Replacement of choice-based lettings for those in need of Emergency rehousing with ‘assisted offers’, that is, direct offers of accommodation taking account, wherever possible, of locational requirements</p>	<p>During the consultation period, the equalities impact of not enabling those with the most urgent need to move was considered. It was felt that this could potentially disadvantage some groups, notably the very ill and disabled who had to move urgently, from exercising choice, therefore, it is proposed to enable such households to use the choice-based lettings system while also receiving assisted offers. It is anticipated that such households will be more likely to receive a suitable assisted offer than one through choice-based lettings as officers will be pro-actively matching need to vacancies as soon as they arise. Furthermore, the Council will</p>

	retain the right not to make an offer through choice-based lettings should it not be feasible to adapt the property concerned
Introduction of a 'tenant move scheme' whereby council or PSL tenants who have held a tenancy for five years but have no housing need, that is essentially that their home is large enough and accessible, will be able to join the Homeseeker band (and apply for a Community Contribution Reward). In this way, it is anticipated that council tenants with children living in a property without a garden will stand a far greater chance than now of moving to a property with a garden. Note: in order to be eligible, tenants will have a good tenancy history, that is they will have no rent arrears or have breached their tenancy in the last 12 months	No further amendments to this proposal were made as although some residents queried why those without need would be able to join the Register, the majority were in favour
Removal of the 'like-for-like' rule for those transferring between council properties for an urgent reason Note: it is envisaged that more properties without gardens will be offered to those moving from properties with gardens in an emergency, rather than vice versa	No further amendments
Removal of 'having no security of tenure' as a definition of 'unsatisfactory housing' under the reasonable preference categories, thus meaning that simply renting privately or living with other family members without any other housing need, such as overcrowding, will not give eligibility to join the Housing Register	No further amendments during consultation although this proposal arguably led to the greater number of concerns from residents, although on closer scrutiny it appears that the proposal was misunderstood to mean barring every private tenant / person living with family from the Housing Register, regardless of housing need. This is not the case

- 1.5 One of the most controversial changes to the Allocations Policy is the introduction of a residential qualification of two years. The reason why we are proposing to introduce this requirement is that we have currently 11,900 people on our Housing Register, and only around 700 units of homes to let each year. We therefore need to find ways of rationing this scarce resource, and letting those people who have no prospect of finding assistance, know what their realistic prospects are. We have chosen to restrict the Housing Register to those households who live in the borough, and who have connections with the borough established through some length of residence. We note that the Mayor's Housing Strategy expresses a desire to improve mobility within London, but we believe that through our participation in the Pan London Mobility Scheme, we will ensure that mobility for work or caring will continue to be supported.
- 1.6 The residential qualification will be generally applied, but there will always be exceptional cases, and ways in which we can assist some households who do

not live in the borough. Some of these are set out in the Allocations Policy, and in addition, officers do assist people who live out of the borough, but who wish to move to Havering with advice on schemes such as the Pan London Mobility Scheme, East London Housing Partnership (ELHP) reciprocal scheme and Reciprocal arrangements directly with other bodies.

- 1.7 The operation of the Homelessness legislation also takes primacy over local policies, and we will continue to comply with the requirements placed on us by the homelessness legislation to households who seek our assistance when they are homeless, whether they live within Havering or not. Local authorities generally have a mutual agreement on what constitutes a local connection, and we will continue to apply these arrangements to cases who seek our assistance in an emergency.
- 1.8 The Allocations Scheme also applies an income test to applicants.(See Appendix 1). In that Appendix we propose that households seeking assistance on the Housing Register can afford to find their own accommodation, where their household income/savings are above a certain threshold. These thresholds have been set by assuming that it would be reasonable for households to spend 30% of their disposable income on housing costs.
- 1.9 We recognise that there will be a significant impact on households currently on the Housing Register, and those who may in the future wish to register for housing. They may experience disappointment, and a feeling of frustration. But we do also feel that they will not be significantly disadvantaged in their chances of obtaining housing. Households living outside the borough for example, who sought housing in Havering were always placed in the lowest bands (Bands D & E) of the current scheme, and therefore their chances of being rehoused were always very low, and for the vast majority, non-existent. There are 2843 households in Bands D & E currently on the Housing Register. Not all of these will automatically be removed from the Register, because until we have written to them, and established whether they have, for example an Armed Services connection, we cannot say whether they have some qualification to remain on the Register. We feel however that those households who will be removed will not have lost an opportunity for rehousing, but merely the illusion that they might be successful in their bids for housing.
- 1.10 To be eligible for the Emergency Rehousing Band, applicants must meet the housing register eligibility criteria including residency criteria and meet one or more of the seven reasons in the Emergency Rehousing Band.
- 1.11 We have considered the impact of those households disadvantaged by the changes in the policy in more detail in the Equality Assessment in Appendix D.

1.12 Timetable for implementation of the revised Allocations Scheme

In order to implement the new Scheme, the following key tasks are required:

- a thorough review of the existing Housing Register to assess whether the household is still eligible and, if so, what their priority is under the revised Scheme

- letters sent to all those on the Housing Register explaining the outcome of the above exercise
- redesign of the online application form
- training of staff in applying the new Scheme
- design of a process to protect those households who bid for a property within the last three months prior to the effective date and their bid was in the top five. This should minimise complaints and challenges from those who feel particularly negatively affected by the changes.

Given the above, it is proposed to spend the six months – October 2012 to March 2013 inclusive – to carry out all the necessary preparations prior to fully implementing the new Scheme on Monday 1 April 2013.

1.6 Implementation of certain elements of the revised Allocations Scheme in advance of full implementation

(a) Proposal to notify those households that will be removed from the Register from 1 April 2013

The revised Allocations Scheme will see those living outside of the borough, except serving and ex-service personnel and certain other exceptions, no longer eligible to join the register. It is proposed that notification is given from 1 October 2012 to these households of their removal from the Register from 1 April 2013.

(b) Proposed implementation, prior to April 2013, of the ability to put in place local letting policies

Local lettings policies are a mechanism for applying different criteria, though still consistent with the relevant legislation, to certain properties. Such policies could apply to certain districts of the borough, certain developments, for example the new build schemes in Harold Hill, or certain 'classes' of properties, for example extra care housing.

In order to use local letting policies, a housing authority must state in its Allocations Scheme that it will use such an approach, and must publish the specific local lettings policies as they are drawn up. The current Allocations Scheme does not include a provision for the use of local lettings policies; the revised Scheme does in section 7.3.

It is anticipated that the letting of the new extra care scheme on the site of the former Snowdon Court sheltered scheme in Gidea Park would be aided by having a local lettings policy in place. As the lettings need to take place before implementation of the new Allocations Scheme in April 2013, it is proposed to introduce the provision to delegate authority to approve any such policies to the Lead Member for Housing.

2. TENANCY STRATEGY

2.1 Background

The Localism Act 2011 introduced a new duty on housing authorities to publish a Tenancy Strategy by no later than 14 January 2013. The legislation dictates that the Strategy should give details of:

- the kinds of tenancies the Council will provide
- the circumstances when the Council will provide a tenancy of a particular kind
- the length of the tenancy
- when the Council will and will not give a further tenancy when it comes to an end.

Housing associations operating in the area are required to have regard to the Tenancy Strategy when setting their own policies.

Given the linkage to housing associations' work, the Housing Service is also taking the opportunity to consolidate into one document advice previously provided to housing associations regarding the letting of properties at affordable rents, that is, a rent level set at up to 80% of the local market rent.

2.2 Guidance to housing associations on affordable rents

The proposed Tenancy Strategy outlines the Council's stance on affordable rents:

- the Council supports 80% Market Rents for new Registered Provider development of 1,2 and 3 bed properties and will consider 80% market rents for 4-bed homes
- an Affordable Rent calculator has been provided on the Choice based lettings website for households to use prior to bidding for Affordable Rent properties
- a symbol has been provided on the Choice based lettings magazine and website to help households identify affordable rent properties
- housing associations should have regard to the Council's Borough Investment Plan and, in future, Tenancy Strategy when framing development proposals in the Borough
- the Council accepts the need for housing associations to convert a proportion of existing housing let at social rents to affordable rent at the re-let stage in order to generate funding for more homes. It is vital that homes remain affordable and, importantly, that the supply of larger family homes at social rents is not unduly diminished. Therefore, the Council's position is that we expect that housing associations will convert more 1 and 2 bed units than 3 and 4 bed units at re-let stage to Affordable Rents but no more than 50% of all re-lets in Havering borough.

- the Council will seek to keep individual housing associations' conversion rates under review through the choice-based lettings / nominations procedures and one-to-one meetings with them.

2.3 Proposed types of tenancy to be used by Havering Council

The Localism Act 2011 has, for the first time, given local authorities and housing associations the freedom to let their properties on secure tenancies with less than a lifetime term. This allows landlords to adopt a tenancy policy that sets out the types of tenancies they will provide, the length and terms of the tenancy, the arrangements in place to review and assess the tenant's circumstances towards the end of the fixed term and the circumstances when tenancies will and will not be renewed.

The Housing Service has consulted widely on its proposals and further details can be found in the table below.

Type of consultation	Stakeholders	Date(s)
Initial consultation event hosted by Havering Council	Registered providers (RPs) operating in the borough	October 2011
Initial consultation	Homes and Communities Agency Registered Providers East London Housing Partnership Havering Citizens Advice Bureau Adult Social Services	November 2011
Consultation event	RPs, residents associations and third sector organisations	April 2012
Online consultation (and paper survey questionnaire)	(1) and (2) Housing Register applicants, residents, Elected Members, residents and RPs (2) Mayor of London and local solicitors	(1) April – May 2012 (2) July 2012
Two public events	People on the Housing Register, Residents and RPs	May 2012
Follow up forum following 30 April event	RPs, residents associations and third sector organisations	May 2012
Briefing and consultation	Elected Members	May 2012
Drop-in Q&A session	People on the Housing Register and residents	May 2012
Briefing and consultation	HiH Resident steering groups and community groups	June – August 2012

The proposed Tenancy Strategy is attached at Appendix B. This section of the report summarises the key proposals regarding tenancy length.

Proposals	
<i>Existing tenants</i>	
	<ul style="list-style-type: none"> • All those holding a secure lifetime tenancy issued by Havering Council on the date on which the Tenancy Strategy comes into effect (recommended as 1 April 2013 in this Cabinet Report) will retain their secure lifetime tenancy. • All those holding a secure lifetime tenancy issued by Havering Council on the date on which the Tenancy Strategy comes into effect (recommended as 1 April 2013 in this Cabinet Report) who transfer to another Havering Council property at some point in the future will be given another secure lifetime tenancy for that new property, and to any property(ies) they subsequently move to within Havering Council's stock. These provisions would also apply to a move to a property owned by a housing association when a request is made by the Council for the transferring tenant to retain their existing tenancy term.
<i>New tenants</i>	
	<p>First time tenants renting from Havering Council will be given a five year fixed term tenancy after successfully completing their Introductory Tenancy (which will not be less than one year), except:</p> <ul style="list-style-type: none"> • where a property specifically designated for those aged 60+ is being let, most typically this refers to supported (also known as sheltered) housing, in which case a secure lifetime tenancy will be provided • where the youngest child in the property is at least 15 years old, in which case a three year fixed term tenancy will be issued after completion of the Introductory Tenancy – this is because as children reach their late teens they become likely to move home and the Council wishes to obtain the opportunity as soon as reasonably possible to move the remaining occupants to a smaller property, if they are under-occupying as a result of a child moving out • where someone has limited leave to remain in the country and so is subject to immigration control – this is because we wish to obtain the opportunity as soon as reasonably possible to review whether the household (or certain household members) are still eligible to council housing.
<i>Tenants with a fixed term tenancy that is coming to an end</i>	
	<ul style="list-style-type: none"> • If the tenant is eligible for council housing (notably, if they do not have sufficient earnings / savings to afford other options) and the property is suitable, another five year tenancy will be issued for the same property, except if the rules for issuing a three tenancy, as outlined above, pertain
	<ul style="list-style-type: none"> • If the tenant is eligible for council housing but the property is not suitable, another five year tenancy will be issued for a different property, except if the rules for issuing a three tenancy, as outline above, pertain – this will most typically apply if the household is now under-occupying or no longer requires the adaptations at the property
	<ul style="list-style-type: none"> • If the tenant is eligible for council housing, a three year tenancy – whether at the same or different property – will be issued if there have been breaches of tenancy, typically rent arrears or anti-social

	behaviour. Note: activity to recover the property through other legal means will not be precluded simply because someone holds a fixed term tenancy
	<ul style="list-style-type: none"> • If the tenant is no longer eligible, no further tenancy will be issued – typically this will apply if the household has sufficient means to rent or buy privately given the options available in Havering at the time the tenancy ends

IMPLICATIONS AND RISKS

3. Financial implications and risks:

Work will be required to review all those on the Housing Register, amended literature and other publicity, and update the online application form. The financial costs of this work will fall to the HRA. Provision has been made within the 2012/13 HRA budget for the retained Housing Service to deliver this work.

4. Legal implications and risks:

The Localism Act 2011 affords housing authorities greater freedom over who they can consider should be eligible for housing in their area, so long as the 'reasonable preference' categories provided for by the Housing Act 1996 and in subsequent guidance are still eligible and have reasonable priority for housing over those outside of these categories.

The requirement under the Housing Act 1996 for housing authorities to publish an Allocations Scheme detailing how and to whom the authority allocates its properties / make nominations to other landlords' properties remains unaffected by the Localism Act 2011.

No obligation has been placed on the Council by the Localism Act 2011, or any other legislation, to amend the current Allocations Scheme. This is being done as a matter of good practice given that the current Scheme has been in place for seven years.

This Cabinet report proposes amending the current Allocations Scheme in a number of significant ways. All the amendments are lawful under the Localism Act. Notably:

- only those with a reasonable preference to housing will be eligible for an allocation, therefore the Council is adhering to the 'reasonable preference' requirement
- serving and ex-services personnel's eligibility is not fettered by the proposed new residency criterion
- affording greater priority for those with a reasonable preference for housing who are contributing the community is encouraged under the latest Code of Guidance, and

- the different prioritisation within the group of applicants with a reasonable preference for housing remains a matter for local discretion.

The Guidance urges Local Authorities to consider how they can use their allocation policies to support those households who want to work, as well as those who- while unable to engage in paid employment- are contributing to their community in other ways, for example through voluntary work. (Para 4.27)

The new provisions in the Housing Act 1996 require the Local Authority when preparing or modifying their allocation scheme, to have regard to—

- (a) their current homelessness strategy under section 1 of the Homelessness Act 2002,
- (b) their current tenancy strategy under section 150 of the Localism Act 2011, and
- (c) in the case of an authority that is a London borough council, the London housing strategy. Cabinet must therefore consider and have regard to these documents. The homelessness strategy and the draft London housing strategy are listed as background papers.

The Localism Act 2011 also placed a new duty on housing authorities to publish a Tenancy Strategy by no later than 14 January 2013. The legislation requires that the Strategy details which types of tenancy the Council will issue in which situations.

The Council's proposed Tenancy Strategy meets this minimum requirement and in addition, the Council is using its discretion to reiterate its position with regard to the use of 'affordable rents' in the borough by other social landlords.

Consultation

Both the Proposed Allocation Scheme and the Tenancy Strategy have been subject to extensive consultation. The requirement of lawful consultation is that the consultees must have been given sufficient time and information to respond meaningfully and that the responses are conscientiously considered by the decision maker before a decision is taken. Accordingly Cabinet must carefully consider all of the consultation responses highlighted within the Report and the background papers before taking its decisions to minimise the risks of a successful legal challenge to the process.

Furthermore, Housing officers have sought external counsel's comments in order to minimise any risk of legal challenge from anyone believing the Council's Scheme is unfair. It is proposed that the Lead Member for Housing is given the authority to make minor amendments in light of counsel's advice.

Equalities

Cabinet Members are reminded that, when considering what decision to make, they are under a personal duty to have due regard to s149 Equality Act 2010 namely that the Local Authority when exercising its functions must

have due regard to the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and foster good relations between persons who share a relevant protected characteristic and persons who do not share it. Relevant protected characteristics include age, disability, and sex.

Cabinet must pay particular attention to the Equality Analyses which are at Appendix D and E. Within those documents particular attention is drawn to section 5 (Likely Impact).

Having had careful regard to the Equality Analyses, and also the Consultation responses, Cabinet members are under a personal duty to have due (that is, proportionate) regard to the matters set out above and (i) to consider and analyse how the decision is likely to affect those with protected characteristics, in practical terms, (ii) to remove any unlawful discrimination, harassment, victimisation and other prohibited conduct, (iii) to consider whether practical steps should be taken to mitigate or avoid any adverse consequences that the decision is likely to have, for persons with protected characteristics, and, indeed, to consider whether the decision should not be taken at all, in the interests of persons with protected characteristics, (iv) to consider whether steps should be taken to advance equality, foster good relations and generally promote the interests of persons with protected characteristics, either by varying the recommended decision or by taking some other decision.

However, whilst Cabinet Members are under a duty to have serious regard to the need to protect and promote the interests of persons with protected characteristics, in the ways just described, in reaching their decision, they may also take into account other considerations, such as the desirability of providing fair strategies based on local priorities.

5 Human Resources implications and risks:

It is expected that the transition phase (between formal adoption of the policy and the effective date 1 April 2013) will be managed within existing staff resources in the Housing and Public Protection Service, including staff transferring in from Homes in Havering.

It is expected that the Council's fixed-term tenancies policy will impact on staff resources when initial reviews of 3-year fixed term tenancies commence (9 months before the tenancy comes to an end) in July 2016. Provision to carry out these new duties will be taken into account in the service planning of the combined Housing Service following reintegration of Homes in Havering staff and functions.

6 Equalities implications and risks:

Equalities analyses have been carried out and are available as background papers to this report. Of note, both the Housing Allocations Scheme and

Tenancy Strategy have been developed with due regard to Housing legislation, the Localism Act 2011 and CLG Guidance.

The Council's Housing Allocations Scheme will affect both new and existing applicants on the Housing Register for social and affordable housing in Havering Borough and will impact on people across all protected characteristics.

Housing Allocations Scheme

There are criteria in the Scheme that are specifically aimed at supporting:

- low income households that have a housing need with priority to those who contribute to their community
- homeless people
- vulnerable people who have an emergency need to move
- older people, particularly those wanting to downsize to a smaller home
- young people, especially those leaving care
- people with physical disabilities or long-term health conditions
- pregnant and nursing mothers
- people with caring responsibilities for a disabled child or close relative.

People living with parents or in private rented housing who are adequately housed or have no housing need will be negatively affected under the proposals. To mitigate and manage this negative effect, the Council will consider homeless enquiries under Housing Act 1996. In the first instance, people should contact the Council's Housing Advice and Options Team. However, if they have meet the residency criteria and have a housing need under the Homeseeker Band they will be eligible to apply to join the Housing Register.

Tenancy Strategy

Affordable Rents

In developing the Tenancy Strategy, we carried out assessments to determine the affordability of Affordable Rents set at 80% of market rents for local people earning median and on lower incomes. In addition, we do not want to restrict Affordable Rent properties to specific groups and for this reason, have provided an Affordable Rent Calculator on the East London Choice based lettings website so that people can assess whether they can afford the higher rent before bidding for properties.

Fixed-term Tenancy proposals

The Council's fixed-term tenancy proposals will not affect existing Havering Council tenants with secure lifetime tenancies if they remain in the Council's housing stock.

We will continue to provide lifetime tenancies for people who move into accommodation designated for 60 years+ thereby giving stability of tenure to more vulnerable groups.

In addition, the Council expects Registered Providers to continue to grant secure lifetime tenancies to people with severe disabilities or learning

difficulties with support needs living in specialist supported housing or living in general needs housing who receives long-term care and/or support services. However, it is recognised that in some circumstances, offering a lifetime secure tenancy would not be appropriate, for example, for tenant(s) living in move-on accommodation with floating support.

We have included a property suitability assessment as part of our policy so that properties can be provided to those in greatest need, including high priority disabled people who need an adapted property to meet their needs.

Furthermore, we will take account of the following exceptional circumstances when deciding whether to renew a tenancy, on a case by case basis:

- the household contains someone with a disability, when moving to another property will not meet their current needs
- when someone in the household is terminally ill
- where children in the household attend a school and a move would have a significant detrimental impact on the educational development of the children
- when the Council's Adult Social Care or other colleagues believe the tenant is a vulnerable adult
- when the tenant(s) is employed and a move would have a significant impact on their employment.

APPENDICES:

Appendix A – Draft Housing Allocations Scheme

Appendix B – Draft Tenancy Strategy

Appendix C – Consultation event summary

Appendix D – Equalities Analysis: Draft Housing Allocations Scheme

Appendix E – Equalities Analysis: Draft Tenancy Strategy

BACKGROUND PAPERS

Consultation responses

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Draft London Borough of Havering's Housing Allocations Scheme

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1. HAVERING COUNCIL'S POLICY FOR LETTING COUNCIL AND HOUSING ASSOCIATION ACCOMMODATION: INTRODUCTION

Havering borough is an area with a very high demand for social and affordable housing and unfortunately, a limited supply of homes to rent from the Council or housing associations¹ (also known as Registered Providers and Registered Social Landlords). The Council's policy has been designed to give real help to people in housing need. It also aims to reward those households who give something back to their communities through volunteering, working, fostering, adopting or having served in the British armed forces or by choosing to release a large council property and move to a smaller one.

Havering Council's Allocations Scheme explains how we make decisions about who to let vacant properties to. It provides a framework for letting accommodation and assigning priority between those in need.

This document explains how the Allocations Scheme works and how we can help you in other ways if the Council's or housing associations' housing is not available to you.

This Allocations Scheme meets the requirements of the Housing Act 1996, the Homelessness Act 2002 and the Localism Act 2011 and identifies groups who must be given reasonable preference for available housing.

The Allocations Scheme applies to existing tenants wishing to transfer from one tenancy to another and to new applicants, including homeless people. When we refer to 'applicant' in this document, it will refer to new applicants including homeless people and tenants wishing to transfer (unless otherwise stated).

This Allocations Scheme will be applied fairly to everyone who applies to join, or is already on, the Housing Register² (sometimes known as the housing waiting list).

It is our intention to:

- give applicants choice over the housing they are offered
- provide a lettings system which is easy to understand and is as clear and predictable as possible
- create more sustainable communities where people choose to live.

This policy will be effective from 1 April 2013. It will be reviewed in April 2014 and annually thereafter.

1.1 Equalities statement

Havering is home to a number of different communities. We are committed to delivering quality services to all by responding positively to the needs and expectations of all service users.

The Council operates an equal opportunities policy and is committed to making sure that all people are treated fairly. We are committed to eliminating discrimination on any grounds including race, gender, disability, age, sexuality, religion or belief, gender reassignment, marriage or civil partnership, pregnancy and maternity. This commitment is based on our respect for every individual.

An Equalities Analysis has been carried out on this will be kept under review.

¹ Housing Associations are also known as registered providers or registered social landlords. We will use the term housing associations in this document.

² Housing Register is sometimes known as the housing waiting list. The term Housing Register will be used in this document.

2. ELIGIBILITY AND PRIORITY

The Localism Act 2011 has given local authorities greater freedom to set their own policies about who is eligible for social housing, and thus who can join the Housing Register for social and affordable housing in their area. This means that Havering Council has more freedom over how it operates its Allocations Scheme. All local authorities must ensure that social and affordable housing is allocated in line with the relevant legislation and guidance.

Havering Council has consulted housing applicants, tenants and organisations representing and/or working with these groups, and has developed this Allocations Scheme with two entry routes. The first is referred to as Homeseeker Band with additional priority being given to those who qualify for a Community Contribution Reward. The second is the Emergency rehousing route, through which applicants in urgent need of rehousing will be supported with assisted offers, that is the Council makes a direct offer taking into account the needs of the applicant(s).

The information provided on the housing application, along with other supporting evidence we may ask for, will enable us to correctly assess your application. There are eligibility criteria for the Housing Register which will allow us to ensure that those applicants in greatest need are assisted.

2.1 Eligibility criteria

2.1.1 Eligibility for being placed on the Housing Register

To be placed on Havering Council's Housing Register you must qualify to join under **each** of the four eligibility criteria listed below.

1. Age: You must be 16 years or over to apply to join the Housing Register as a sole or joint applicant. Normally we will not offer a tenancy to a sole applicant under the age of 18 years – we may choose to agree to someone holding or guaranteeing a tenancy for someone aged under 18 years. Also, we may offer accommodation to 16 and 17 year olds owed a duty under homeless law.

2. Tenure: Owner-Occupiers: You will not be eligible if you own a home or part of a home. There are two exceptions:

- homeowners may be allowed to join the housing register in exceptional circumstances at the Council's discretion, such as where they have a serious medical condition AND they are no longer able to remain in the property AND are unable to afford suitable accommodation in the private market
- when the applicant(s) owns a property in another country which it may not be reasonable to expect the applicant to occupy.

A decision on whether a property, in this country or abroad, is suitable and available to occupy will be made by a senior officer in the Housing Needs and Service Development Team. You may ask for this decision to be reviewed if you disagree with it.

3. Residency: To join the housing register you must have lived in the Havering Borough for at least the last 2 years. If at some time you move out of the borough and decide you want to apply for a social or affordable home in the borough you will need to move back in and live here for a further 2 years before you are eligible to apply for the Housing Register (with exception of housing transfers and in exceptional circumstances).

Only in extremely exceptional circumstances when someone has an emergency need for accommodation will we consider a shorter residency period. In these cases, other professional services, for example, Adult Social Care will be consulted.

The prior residency requirement will **not** apply to:

- persons who are serving in the regular forces or have done so in the five years preceding their application for an allocation of housing accommodation
- bereaved spouses or civil partners of those serving in the regular forces where their spouse or partner's death is attributable (wholly or partly) to their service and the bereaved spouse or civil partner's entitlement to reside in Ministry of Defence accommodation then ceases
- seriously injured, ill or disabled reservists (or former reservists) whose injury, illness or disability is attributable wholly or partly to their service.

4. Housing Need: You must have a reasonable preference for housing and/or another emergency housing need covered by one of the housing need categories defined under the Homeseeker or Emergency routes below.

If your circumstances do not meet the Age, Tenure, Residency and Housing Need criteria you will not be eligible to join the Housing Register. The Council can however provide housing advice whether or not you are eligible for the Housing Register.

2.2 Homeseeker Band

So long as you meet the Age, Tenure and Residency criteria above, you will be able to apply for and be placed in the Homeseeker Band if at least one of the reasons listed below applies to you.

Reason 1: Moderate medical or welfare requirements

Your health or quality of life, or that of someone you care for, is being affected by the place you live in now. For example:

- you need to move closer to someone to provide care to that person or receive care from them and can evidence this by providing proof of relevant Carer's Allowances or a care or support plan that has been approved by Havering Council
- your health problems are making it increasingly difficult to use your property and it cannot be adapted to meet your needs.

In order to be eligible for Homeseeker Band because of welfare needs, you will need to provide evidence that:

- you are receiving social care support from the London Borough of Havering, or
- your wellbeing is being substantially affected by your current housing situation – we will confirm this by asking medical advisor and/or other professionals to consider circumstances, or
- you are a vulnerable person at risk of losing your accommodation³

³ Vulnerable Persons Joint protocol between Havering Council's Adult Social Care, Children's Service and Housing Service, Homes in Havering and the North East London Foundation Trust (Revised 2012).

Reason 2: Overcrowding

- You have a need for one or more extra bedrooms. Please refer to section 7.6 for how we work out how many bedrooms your household needs
or
- you are aged 25+ years and you are sharing with a same sex sibling in a property with three or more bedrooms. Please note: only you, rather than the whole household, can register for a move if this form of overcrowding applies to you.

NOTE: The overcrowding criterion does not apply to you if you have been accepted as homeless and Havering Council has accepted a duty to secure accommodation for you and you have been placed in a Private Sector Leased (PSL) property by Havering Council. If this applies to you and you feel you are overcrowded, please contact the PSL team.

Reason 3: Insanitary conditions

You are an owner occupier or private tenant and a hazard awareness notice has been served by Havering Council's Environmental Health Team, in relation to a Category 1 or 2 hazard at the applicant's dwelling and:

- the remedies that are needed to reduce the hazard will require the property to be vacated for a significant period of time, and the cost of the remedies are beyond your means, where you are responsible to pay for the works
or
- a suspended improvement notice or prohibition order exists but a foreseeable change in the applicant's circumstances will cause it to become active and result in a high priority situation.

Reason 4: Lacking facilities

You are living in a property that does not provide you with reasonable access to one or more of the following:

- kitchen facilities
- bathroom
- inside toilet.

This will need to be confirmed by Havering Council's Environmental Health Team.

Reason 5: Havering Council Tenant Move Scheme

You are:

- a secure tenant of Havering Council but have no housing need, or a Private Sector Lease tenant (placed in Private Sector Leased (PSL) accommodation by Havering Council) where you would be eligible to join the Housing Register based on your housing circumstances at the time you moved in the PSL accommodation
and
- you have been a tenant at the same property for at least 5 years (If you have moved under a special management transfer we will count your time at both properties)
and
- you have no rent arrears
and
- you have not breached your tenancy within the last 12 months.

If you move through this scheme, you will not be able to re-apply to join the housing register under the Tenant Transfer Scheme for another 5 years unless your housing need change during this period.

NOTE: You will have a 2 year period to bid for properties, so you should place regular bids. If after 2 years you have not secured accommodation, you can stay on the Housing Register but you will not be able to bid for accommodation for another 12 months.

Reason 6: Homeless household placed in a Private Sector Leased⁴ (PSL) property by Havering Council

- You have been accepted as homeless by Havering Council and it has accepted a full homelessness duty to secure accommodation for you, or
- you have been accepted as homeless by Havering Council but you are not in priority need and so while the Council does not owe you a full homelessness duty it has used its discretion to provide PSL accommodation.

Reason 7: Homeless

You have been deemed as homeless by Havering Council within the meaning of Part 7 of the Housing Act 1996.

Reason 8: Council tenants with a fixed-term tenancy coming to an end when the Council does not intend to grant a new tenancy of their current property but has decided to grant a tenancy of an alternative property

NOTE: your place on the Housing Register is time limited. You will be able to bid through choice-based lettings – see section 7 – for six weeks. If you are unsuccessful during this period, you will receive up to two suitable assisted offers – see section 3.5.5.

Reason 9: You wish to move to a certain locality in the borough where not doing so would cause hardship to yourself or others

You wish to move to another part of Havering to alleviate your or someone else's hardship and you live more than half a mile from a bus stop, London Underground station or rail station.

There are some circumstances when, even if you meet these eligibility criteria we could not accept an application – please refer to section 2.5.

People in Homeseeker Band may also want to apply for the Community Contribution Reward and this is set out in the following section.

2.3 Community Contribution Reward

You can apply for a Community Contribution Reward at the point of application or at any time once you are on the Housing Register. It will be your responsibility to apply for the reward and to provide proof to demonstrate that you meet the eligibility criteria. Please refer to Table 1 below.

You will be given the Community Contribution Reward and be rewarded with priority over applicants in the Homeseeker Band without this Reward if:

⁴ Private sector leased (PSL) properties are leased by the Council from a private landlord.

- you are eligible to join Havering Council's Homeseeker Band (NOTE: reason 6 – downsizing is an exception to this – see below)
and
- one or more of the reasons listed below apply to you (the sole applicant or both joint applicants). These reasons do not apply to others on the application.

A Community Contribution Reward will give you a priority over those in the Homeseeker Band without the Community Contribution Reward when you come to bid for a property. You will be rewarded with the Community Contribution Reward for 12 months. After 12 months, you will automatically reduce to Homeseeker only and will need to re-apply for Community Contribution Reward if you meet one of the reasons.

To achieve the Community Contribution Reward, you need to meet *at least one* of the six criteria below:

Reason 1: Working

The sole or one of the joint applicants is currently working for at least 16 hours per week and has been doing so for the last 12 months. You will need to have been working 12 months ago and have had no more than a 3 month break in employment during the last 12 months or no longer than a 6 month break if you have been pregnant. More details are set out in Table 1 below.

Reason 2: Volunteering

The sole or one of the joint applicants is currently volunteering within Havering for a minimum of 10 hours a month for a not-for-profit organisation or group/organisation recognised by Havering Council and has been doing so for the last 12 months.

If the sole or one of the joint applicants is aged 70 years or above the time requirement is 5 hours a month rather than ten.

Reason 3: Ex-Services personnel

Those who have recently left, or are close to leaving the Armed Forces.

Reason 4: Disabled Households

A sole applicant has a disability or is very infirm and this prevents them being able to work at least 16 hours a week or volunteer for at least 10 hours a month or at least 5 hours a month if they are aged 70 years or above, we will automatically give the Community Contribution Reward.

In the case of joint applicants, both applicants will need to be disabled or very infirm such that both are prevented from working or volunteering for hours listed above to automatically receive the Community Contribution Reward.

In these situations we will consider the level and type of benefits they receive when assessing whether or not to give you a Community Contribution Reward. Please refer to Table 1 for more information.

Reason 5: Fostering or Adopting

You are a sole applicant or joint applicant and you are seeking approval to foster or adopt and your current accommodation is preventing this. Your application is supported by Havering Council's Children Service and/or Havering Council's Young Adult Service and these services confirm that you need another home in order to foster or adopt a child or more children.

Reason 6: Downsizing

- You are a secure Havering Council tenant who wishes to move to a property with fewer bedrooms. NOTE: this does not apply to Private Sector Leased (PSL) tenants.
or
- you are a housing association tenant living in Havering who wishes to move to a property with fewer bedrooms
or
- you are a housing association tenant not living in Havering who wishes to move to a property with fewer bedrooms and Havering Council can nominate someone to your current property if you move.

More details on the Community Contribution Reward, including the evidence we need to receive from you is contained in Table 1 below.

Table 1 – Community Contribution Reward

Community Contribution	Definition	Verification – evidence you will need to provide as part of your application for Community Contribution Reward
Working applicants	<p>The sole or one of the joint applicants:</p> <ul style="list-style-type: none"> • works at least 16 hours per week and • has a permanent contract, temporary contract, or is self-employed • has been doing so during the last 12 months. A 3 month break does not count if you lose your job through no fault of your own. <p>Breaks in employment We recognise that in the current economic climate, people can lose their job from time-to-time, for example, the shop you work at closes down and you are made redundant. If this happens, will allow a 3 month period during which to secure employment (see explanation below).</p> <p>Pregnancy and maternity We will allow a 6 month break in employment during the 12 month period.</p> <p>Explanation of breaks in employment While we will allow a break in employment, it is important that you collect the evidence we need (refer to the right hand column) otherwise we cannot process your application. It is important that at the beginning and end of the 12 month period that you are either working or meet another one of the criteria, for example, volunteering. Example – should your application for Community Contribution Reward come up for renewal after 12 months and you lost your job in the after 11 months, we will assess that you have already had a one month break and so give you another two months to find another job or start volunteering (refer to the volunteering criterion). If you start working or volunteering again within these two months beyond the date of the Community Contribution Reward renewal, we will renew the Reward, otherwise, we will remove the Reward.</p>	<p>Original payslips, P60, bank statements or a verifying letter on headed paper, or can prove that you are registered at Company House in order to qualify. If you are self-employed, we will need to see your last set of accounts.</p> <p>In the case of pregnancy and maternity, we will need written evidence of statutory maternity pay. Please ensure that you also keep evidence that the employment break, of up to a maximum of six months, was pregnancy-related. NOTE: we will not count you taking maternity leave from your job, of up to six months, as a break in employment.</p> <p>If you have any queries or in any doubt, please contact the Housing Needs and Service Development Team.</p>

Community Contribution	Definition	Verification – evidence you will need to provide as part of your application for Community Contribution Reward
Volunteering	<p>The sole applicant or one of the joint applicants volunteers:</p> <ul style="list-style-type: none"> • for a minimum of 10 hours a month – different hours apply for those aged 70+ years – see below • for a not for profit organisation or group, including a charity, or community or faith group) recognised by Havering Council or registered as a charity or with Havering Volunteer Centre (Havco). Volunteering recognised by the Council includes volunteering for the emergency services (for example, being a Special Constable) or British Reserve Forces and on-the-job training schemes for people with disabilities (for example, with the Camden Society) • for a continuous period of at least 12 months up to the point of application, with breaks allowed – see below • within the London Borough of Havering. <p>Breaks in volunteering We will allow a 3 month break in volunteering during the 12 month period.</p> <p>Pregnancy and maternity We will allow a 6 month break in volunteering during the 12 month period.</p> <p>People aged 70 years and above The rules above apply except that the sole applicant or one of the joint applicants need only volunteer for a minimum of 5 hours a month rather than ten.</p>	<p>An original letter on the organisation’s headed paper from the manager responsible for volunteers confirming the applicant’s involvement in the minimum hours per month of voluntary work for the past 12 months. This person must not be related to the applicant in any way.</p>
Ex-services personnel	<p>Those who have recently left, or are close to leaving the Armed Forces.</p>	<p>Original Certificate of Cessation of Entitlement to Occupy Service Living Accommodation will need to be provided.</p>

Community Contribution	Definition	Verification – evidence you will need to provide as part of your application for Community Contribution Reward
Fostering or Adopting	Applicants living in Havering Borough who would like to foster or adopt a child (and or more children) but are unable to as they currently live in an inappropriate property. The property must be considered inappropriate either due to the property size or the tenure type. The applicant must have the support of Havering Council’s Children and Young Adult Service and they must confirm that your current home is barring you from adopting or fostering a child (and or more children).	A letter from Havering Council’s Children and Young Adult Service stating that the applicant(s) will be accepted as a foster carer(s) or adoptive parent(s) and will only be able to adopt or foster a child (and or children) if they move to another property, for example a ground floor flat.
People with disabilities in receipt of adult social care and Disability Living Allowance (DLA), Attendance allowance or Carers Allowance, or equivalent benefit	Whilst many people with disabilities work or volunteer, there may be circumstances in which frailty or a disability prevents this or means that the full eligibility criteria set out above can not be met. An applicant or in the case of joint applicants, both applicants, will need to be claiming the high rate of Disability Living Allowance (or equivalent) in order to be eligible. If the joint applicant does not have a disability, then that applicant would need to act as a full time carer for the lead applicant in order to be eligible. Another situation that will be eligible is when one of the joint applicants is unable to work or volunteer and their partner cares for an ill or disabled child or relative (and they receive Carer’s Allowance or equivalent).	Automatic granting of the Community Contribution Reward to disabled applicants/carers will be based on advice from Adult Social Care services, relevant medical practitioners and the level of Disability Living Allowance, Carers Allowance or Attendance Allowance (or equivalent) received.

Community Contribution	Definition	Verification – evidence you will need to provide as part of your application for Community Contribution Reward
<p>Downsizing</p>	<ul style="list-style-type: none"> • You are a secure Havering Council tenant who wishes to move to a property with fewer bedrooms. NOTE: this does not apply to Private Sector Leased (PSL) tenants. <i>or</i> • you are a housing association tenant living in Havering who wishes to move to a property with fewer bedrooms <i>or</i> • you are a housing association tenant not living in Havering who wishes to move to a property with fewer bedrooms and Havering Council can nominate someone to your current property if you move. <p>If you want to downsize you must move to a property with fewer bedrooms. If your property has a garden and you want to have one at your next property when you downsize, please make this clear in your Community Contribution Reward application.</p>	<p>A reference from the landlord (either the Council or a housing association) confirming that the applicant is living in a property that is too large for their needs.</p> <p>If you are a housing association tenant not living in Havering, we must have the association’s agreement that we can nominate to your property if you move.</p>

2.4 Emergency rehousing

You will be eligible for Emergency rehousing if:

- you are eligible to join the London Borough of Havering Council's Housing Register and
- one or more of the seven reasons listed below apply to you.

The Council will only place you in the Emergency Band if we believe your circumstances are so serious that you must be moved.

NOTE: You do not need to be in the Homeseeker Band or have achieved a Community Contribution Reward already to be placed in the Emergency Band. This is because your circumstances are so urgent that we want to find you accommodation as soon as possible.

Reason 1: Statutory Overcrowding

You are statutorily overcrowded according to the relevant legislation. More details are available in section 7.

Reason 2: Substantial medical or welfare needs

Your medical or welfare conditions are being made worse by your housing and therefore you have a need to move. One or more of the following conditions must apply to you:

- you or someone included in your application for housing is in hospital or residential care and cannot return home due to the unsuitability of the property and the Council's Occupational Therapy team have confirmed that the property cannot be adapted to your needs
- you are a home owner and you or someone included in your application for housing has a disability or serious medical needs and (a) your home is unsuitable for this person's needs and (b) the Council's Occupational Therapy Team has confirmed that it cannot be adapted to meet these needs, and (c) you cannot afford to buy a suitable property in Havering
- you are a victim of domestic violence and the Council is satisfied there is a need for a move and that this is supported by a senior Police Officer (Inspector rank or higher)
- you are a Havering Council tenant and you need to move in an emergency situation as agreed by both a Housing Officer and senior Police Officer (Inspector rank or higher)
- staying in your current accommodation poses an immediate risk to life
- there are other circumstances or a combination of circumstances considered exceptional and your need to move is supported by health professionals, the Council's Housing and Social Services and/or a senior Police Officer (Inspector rank or higher) or MARAC⁵
- The following Armed Forces personnel who have urgent housing needs:
 - former members of the Armed Forces
 - serving members of the Armed Forces who need to move because of a 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 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.

⁵ Multi-Agency Risk Assessment Conference (MARAC)

Reason 3: Decants

You are a Havering Council tenant required to move because the property is due to be (a) sold, and/or (b) demolished, or (c) have extensive works completed or (d) refurbishment or conversion work which mean you need to move out either permanently or temporarily whilst the works are completed.

Reason 4: Leaving Care

You have been accommodated by Havering Council's Children and Young Adults Services and are now ready to move into independent or supported accommodation, as confirmed by Havering Council's Children and Young Adults Services.

Reason 5: Move on from specialist accommodation

You are moving on from specialist accommodation provided by a Havering Council's Social Services Team, North East London Foundation Trust (NELFT) or another registered supported housing provider in line with an agreement with Havering Council's Housing Service.

Reason 6: Discharge by Havering Council of the full homelessness duty (under section 193 of the Housing Act 1996, as amended)

At the Council's discretion, we may discharge our full homelessness duty by an offer of council or housing association accommodation, although this is not our standard practice.

The Council may consider this approach to discharging its duty where:

- you have been accepted as homeless and Havering Council has accepted a duty to secure accommodation for you
and
- you are living in a private sector leased (PSL) property or other temporary accommodation and were placed there by Havering Council or with the Council's consent
and
- Havering Council needs you to vacate your PSL property or other temporary accommodation and we have decided not to provide an alternative PSL property or temporary accommodation, or you are due to begin full time education in less than 12 weeks and are not eligible to claim full Local Housing Allowance.

Note: Under the relevant legislation, the Council is not obligated to discharge the full homelessness duty by means of an offer of council or housing association accommodation and this Scheme should not be read as implying this is the standard or expected means of discharging the duty.

Reason 7: Move on from tied accommodation provided by Havering Council

You are a Havering Council employee who has been living in tied accommodation provided to you as part of your work but need to move out due to retirement or redundancy or the Council is changing the terms of your employment or because the property is due to be (a) sold, and/or (b) demolished, or (c) have extensive works completed or (d) refurbishment or conversion work which means you need to move out either permanently or temporarily whilst the works are completed.

Reason 8: Council tenants with a fixed-term tenancy coming to an end when the Council does not intend to grant a new tenancy of their current property but has decided to grant a tenancy of an alternative property

You have been unsuccessful in bidding for properties within 6 weeks of notice.

2.5 Circumstances that mean you cannot join the Housing Register

If your circumstances come under any of the following categories, then you will not be able to join the Housing Register, unless there are exceptional circumstances, that is, you are deemed to have an emergency need for rehousing. Exceptions will be taken into account on a case by case basis.

Accommodated in Havering by another Local Authority: You will not be accepted on to the Housing Register if you have been placed or been accommodated in the borough by another local authority which has an enduring duty to assist you with housing.

This includes people living in:

- temporary accommodation or
- Private Sector Leased (PSL) accommodation.

Financial Assessment: You will not be able to join the Housing Register if you have sufficient income, savings and/or other assets to be able to afford private rented housing in the borough. We will ask you about your income and savings and other assets, such as a second property, when you apply to join the Housing Register to assess whether you can afford to privately rent in the borough. We assume that if you can afford to buy you can afford to rent a property, which is why we use private rental as the threshold.

Because of the severe shortage of social and affordable rented properties in the borough, if you have sufficient money to afford to rent privately in the borough, you will not be accepted on to the housing register. The incomes needed to afford private properties with average rents in the borough are provided in Appendix 1 and this will be reviewed annually on 1 April every year.

You should bear in mind that if you choose not to complete the savings and income questions on the application form, we will assume that you have sufficient resources and will assess your application accordingly.

3. MAKING AN APPLICATION TO JOIN HAVERING COUNCIL'S HOUSING REGISTER

3.1 How do I join the housing register?

To join the housing register you must first meet our Eligibility Criteria.

Everyone who is eligible to join the Housing Register has to complete an online application, available on Havering Council's website at www.havering.gov.uk under "Apply" (top right side of the website), then select "Housing application form". If for any reason you are unable to access the online form and do not have anyone who could assist you, please contact our Housing Needs and Service Development Team via lettings@havering.gov.uk or call 01708 434130 and they will be able to make alternative arrangements.

Every application will be assessed in accordance with this Housing Allocations Scheme.

3.2 Who can be on my application?

In line with current case law⁶, such as *R (Ariemuguvbe) v Islington LBC (2009)*, it is at the Council's discretion to decide who should be part of your household for the purposes of your housing application. If, for any reason, any person you include in your application is not considered to form part of your household, you will be notified of the reasons for this and you will have the right to appeal this decision (see section 10.1 for the appeals process).

This best fit will be decided by comparing the size of the property and the number of people in your household – see section 7.6 for how we decide the number of bedrooms you need.

If you share custody of a child or children with someone else, we will make a decision on who is the main care provider by looking at a number of factors including, who is paid child benefit or tax credits and who the children stay with for the most nights each week.

3.2.1 People subject to Immigration Control or who fail the Habitual Residence Test

We cannot accept on to the Housing Register:

- people subject to immigration control within the meaning of the Immigration and Asylum Act 1996, unless of a class prescribed by the Secretary of State
- certain people from abroad who fail the habitual residence test or are in breach of the Rights of Residence directive, or
- other classes of persons prohibited by legislation.

3.2.2 Joint tenants who want to be rehoused separately

If you are a joint tenant of the Council or a housing association we will usually only consider you for re-housing with all other joint tenants. This is unless there are special reasons why you cannot be re-housed together such as your safety is threatened. If you do not wish to be re-housed with your joint tenant(s) then you should seek independent advice on your rights and obligations. If we agree that you can register for re-housing without your joint tenant(s) then we will normally need a written guarantee from you that:

- you will remain a joint tenant until you accept an offer of re-housing, and
- when you accept and sign for a new tenancy, you will sign a tenant's notice to quit in respect of your existing tenancy.

⁶ Current case law (June 2012)

3.2.3 Families living separately that want to move into a home and live as one family

If you are a couple, whether with or without children, that currently lives separately but intend to move into one property and live as a family, then you will need to make one application. When completing your application, you need to include the name of everyone who wants to move into the new home and those who currently live with you. If you have any queries, please contact the Housing Needs and Service Development Team on 01708 434130.

3.3 Important things to remember when completing an application

3.3.1 Obligation to be truthful

It is an offence to withhold information that we reasonably need to assess your application, or to provide false information that leads to your gaining a tenancy. We will take appropriate action against anyone who gains a tenancy through knowingly providing false information. This may mean you lose your home.

We will check if you, or anyone in your household, are already registered on the Housing Register. You can only be on one application at any one time.

3.3.2 What happens if I owe rent?

It is very important that you pay your rent. If you do not then your home may be at risk. If you are having difficulties then you should speak to your housing officer as soon as possible and we will give you advice and support.

It may be the case that you owe housing-related debts to the London Borough of Havering at the time you apply to join the Housing Register. This will not stop you joining the Register. Alternatively, you may have no housing-related debts to the London Borough of Havering when you first join the Register.

Either way, if at the time we would like to offer you a property you have housing-related debts totalling in excess of the limit set out in Appendix 2 this could mean that we will not be able to make you that offer – see section 2.5.

3.3.3 Verification and evidence required

We will verify your situation at any point up to and including making an offer. This means that if you are on the Housing Register for some time we could make more than one check.

At the point of verification we will ask **all** applicants to provide independent documentary proof of the following:

- their identity
- their relationship to and between all those named on the application
- their immigration status
- the property they currently live in
- that they have met the residency criteria.

For every person on the application whatever their age, we must normally see at least one of the following forms of proof of identity:

- full birth certificate
- marriage certificate
- full driving licence

- National Insurance card
- passport
- confirmation of receipt of benefit.

In addition, for each household we will need at least one of the following forms of proof of address:

- utility bills
- credit card statements
- current tenancy agreement.

If it is found that false information was given at the time of application, then we will do one of two things:

- cancel your application and remove your application from the Housing Register if you are not eligible,
or
- cancel our offer of accommodation and require the correct application to be made. This could mean your effective date back to when your circumstances changed.

See section 3.3.1 for more details.

If you are applying for the Community Contribution Reward, we will also need you to provide evidence to verify details in your application (see Table 1).

3.4 I've submitted my application, what happens next?

3.4.1 What happens when we receive the completed online application

When we receive your application the online application system will inform you of one of the following:

- tell you are not eligible but that housing advice can be provided
- confirm when you have successfully completed the online application form but we require some additional information
- confirm when you have successfully completed the online application form and inform that you are in Homeseeker Band and which type of property you are eligible for and the number of bedrooms.

The outcome will be based on the information provided in your application. Please remember, your details can be verified at any time and this could result in a change to the original assessment.

If we need to visit you to talk about your registration we will contact you to arrange a home visit. After the visit, we will assess your application and write to you about the outcome.

If we later find out new information which affects your initial assessment, bedroom eligibility or eligibility to be included on the Register, we will re-assess your case and if you are found to be ineligible for the Housing Register your application will be cancelled and you will not be able to re-apply until you meet the Eligibility Criteria.

3.4.2 What is the 'effective date'

Your 'effective date' is the date we will use when ranking your priority for housing. This will be used to compare your bid through Havering Council's Choice Homes choice-based lettings scheme against other bids.

The 'effective date' is the date that you joined the Housing Register's Homeseeker Band or you were approved for Emergency rehousing if not already on the Register. If your application is re-assessed and you achieve the Community Contribution Reward you will be given a new effective date to reflect the date you were given the Community Contribution Reward. This date will continue if you successfully reapply for a Community Contribution Reward. However, should your application be re-assessed and you are eligible for Homeseeker only, the date will revert back to your original application date (the date we received your housing register application).

3.5 What happens if my circumstances change?

3.5.1 What should I do if my housing circumstances change while I'm on the Housing Register?

If there is a change in your circumstances that you think could affect your eligibility and/or priority for re-housing, you should act immediately and contact the Housing Needs and Service Development Team via e-mail lettings@havering.gov.uk

You need to tell us of any change in your circumstances. We will reassess your eligibility and/or priority based on your new circumstances. A change in circumstance could be the type of property you are eligible and/or your 'effective date'.

3.5.2 What if I think I have become eligible for a Community Contribution Reward

You could be eligible for a Community Contribution Reward when one of more of the relevant criteria in section 2.3 applies. More information can also be found in Table 1.

You can apply for a Community Contribution Reward at any time you believe you have become eligible. Please use the online application at www.havering.gov.uk

3.5.3 Circumstances that could mean you are removed you from the Housing Register

You could be removed from the Housing Register if:

- you, or a member of your household, have behaved in an unacceptable way – see section 2.5 for a definition of this
- you told us you no longer wish to be on the Housing Register
- you have been re-housed by the London Borough of Havering, another authority or a housing association
- you have moved and not told us your new address and we cannot contact you
- we have written to you or visited you and have not been able to contact you
- you have given false or misleading information on your housing application
- you have not given us information we asked for to verify your application and you have repeatedly not given this information to us
- your circumstances have changed and so you are no longer eligible to be on the Housing Register.

If we plan to remove someone from the Housing Register but the Council's Housing Service or other colleagues believe the applicant is a vulnerable adult, information may be shared with the Council's Adult Social Care service to see whether additional support can be provided and whether removal from the Register is appropriate.

3.5.4 Keeping you on the Housing Register but removing your ability to bid

We can decide to keep you on the Housing Register but remove your ability to bid when:

- we are assisting you through the Emergency Band and there are other circumstances or a combination of circumstances considered exceptional and your need to move is supported by health professionals, the Council's Housing and Social Services and/or a senior Police Officer (Inspector rank or higher) or MARAC⁷ - your ability to bid will be removed until we've made you an assisted offer
- you require housing with support and are refusing a support package to help you to sustain your tenancy – your ability will be removed for six months or until we've made you an assisted offer
- we are ready to make you an offer but you owe the Council housing-related debts above the prescribed levels – see section 2.5 – you will not be able to bid until you have cleared your debts to below the prescribed level
- you refuse two reasonable offers – you will not be able to bid for six months.

3.5.5 Review of a decision to remove your place from the Housing Register or remove your ability to bid

If we believe your application should be removed or we remove your ability to bid, we will tell you in writing with our reasons for this decision. You will have the right to request a review of this decision within 21 calendar days of being told the decision. If you ask us for a review, a more senior officer who did not make the original decision will carry out a review. This will be the Council's final decision.

A fresh application will not be considered positively unless you can show a change of circumstances.

If our decision is not upheld, you will be registered.

Note for Havering Council tenants with a fixed-term tenancy

If we do not intend to give you a new tenancy for your existing property, we will give you 6 weeks to bid for other properties. If unsuccessful, we will assist you through the Emergency rehousing route and give you up to two suitable offers. Should you decline both offers, we will remove your ability to bid. The Council can continue to seek possession of the property and the Housing Advice Team will provide advice and support in partnership with other relevant agencies to find alternative accommodation in accordance with our Tenancy Policy. Please refer to Appendix 4.

3.5.6 Keeping you informed through regular updates

We will make every effort to regularly provide information on:

- the Allocations scheme itself and any amendments to it
- how long applicants with different priorities are likely to have to wait for different sizes and types of properties.

We will publicise this information:

- on the Council's website at www.havering.gov.uk
- on the Choice Homes website and in the weekly magazine
- through other leaflets and posters produced from time-to-time by the Housing Needs and Service Development Team.

3.5.7 Getting answers to general queries or questions

You have the right to ask us about any decisions we have taken about the facts of your case which have or will have an impact on whether or not to offer you accommodation. Please contact

⁷ Multi-Agency Risk Assessment Conferences (MARAC)

the Housing Needs and Service Development Team, Housing and Public Protection, 5th floor Mercury House, Mercury Gardens, Romford, RM1 3SL, or e-mail lettings@havering.gov.uk for more information.

3.6 Use of the information you give us

When we receive your application to join the Housing Register, your details will be registered on Havering Council's computerised system.

We have a duty to protect public funds. The information you give on your form will be stored on a computer and may be shared with other public agencies, such as the Department for Work and Pensions, other council departments, such as Housing Benefits and Council Tax and housing associations or other housing authorities. This is only to detect and prevent fraud and other criminal activities. We will also share the information you give us with housing associations and other housing authorities for the purposes of housing nominations. By completing your application you will be agreeing to this data sharing approach.

4. HELPING YOU WHEN YOU NEED TO MOVE BECAUSE OF A MEDICAL OR WELFARE NEED

4.1 Moving because of a welfare need

We will work with our colleagues to consider whether particular applicants have a welfare need. Welfare need is explained in section 2.2.

4.2 Moving because of your medical needs

There are times when people need to move because of their health. Our Allocations Scheme recognises this. Details can be found in section 2 (Homeseeker and Emergency) and our application includes an online medical form on which to tell us your circumstances.

4.3 Who makes the assessment of medical needs?

Housing Officers are trained to deal with routine medical assessments and for those cases involving serious medical needs we engage the services of medical advisors to assist us. Our medical advisors are independent health professionals. We seek their advice on particular cases so that we can determine the most appropriate assessment for your particular circumstances. We may also need to take advice from other professional services, including Social Services. Unfortunately, we cannot rely solely on letters from your GP.

Please note that the assessment is made on the basis of documents supplied only and does not involve a physical examination.

The medical reason for joining the Homeseeker Band can apply to you or anyone else on your housing application (see section 2.2). The medical assessment looks at how the health problem impacts on your housing needs. This includes how it affects your household on a daily basis and then how your household's current housing affects your health or quality of life. It does not assess how ill you, or the other person(s) or your housing application is.

Everyone's health conditions and circumstances are unique so it is not possible to list all the circumstances under which we will make a decision to give priority on health grounds to an application. The medical advisors have discretion to make recommendations about any application.

Given the severity of your circumstances, in consultation with our medical advisor and other professionals, we will determine whether or not you require Emergency rehousing or placement in the Homeseeker band.

4.4 Eligibility for a garden on medical or welfare grounds

While ordinarily only households with children under 16 years of age are prioritised for a property with a garden, in consultation with a medical advisor we could prioritise a household without children for a garden given their medical requirements.

A garden may be recommended for an adult in the following circumstances:

- if they have a severe cognitive impairment that means they do not sense danger, or are at risk of wandering and so need constant supervision, or
- if they have a sensory impairment and/or a guide dog and they live alone or only with others with disabilities.

4.5 Eligibility for extra space on medical or welfare grounds

The medical advisors may recommend that you need extra space on health or welfare grounds if:

- you, or someone in your household, has either a permanent and substantial disability, or a severe long-term limiting illness, or the severest form of learning disabilities, or the severest forms of behaviour problems and it is unreasonable for you to share a bedroom as it would seriously affect the sleep of those you would normally share with, to the severe detriment of their or your health
- you have a permanent and substantial disability, long term limiting illness or severe learning disability or you are having health treatment at home that needs large machinery or a stock of health supplies to be stored, for example you are having renal dialysis at home
- you need a full time live-in carer to provide support night and day.

4.6 Eligibility for ground floor and lower floor levels in blocks with a lift on medical or welfare

The medical advisors may recommend that you need ground floor accommodation if you have a permanent and substantial disability or severe long-term limiting illness that means that your mobility or exercise tolerance is so severely restricted you cannot safely manage any stairs. The medical advisors may recommend that you need lower floor levels in blocks with lifts if your mobility or exercise tolerance is highly restricted but you can safely manage a limited number of stairs.

4.7 Supporting people with mental health problems

If you require support with taking up and maintaining a tenancy because you have or have had mental health problems, the Housing Service will work closely with Adult Social Care and the North East London Foundation Trust (NELFT) and will use to the special protocol agreed between these agencies.

These working arrangements will include, where necessary, seeking the advice of Adult Social Care and/or the Community Mental Health Team, on what level of priority your mental health problems should give you.

Working with these agencies will also make sure that you have the necessary support to successfully take up a tenancy, whether in supported housing or if you are going to live independently in a property.

The section above has discussed how we can help if you need to move for medical or welfare reasons. The section covers other emergencies. These are so individual they cannot easily be defined. It is not possible to list all the emergency circumstances under which a move may be agreed. If we agree that you have an emergency need to move – see below for how we decide this – we will provide you with an assisted offer. An assisted offer is when we give you an offer which means that you do not have to bid.

An assisted offer will ensure you move as quickly as possible if you need to move in an emergency situation. A Housing Needs Assessment Officer will work closely with you to determine your needs in terms of location and property type. You will then be offered a property that is suitable and meets your needs. Where possible, your preferences will be taken into consideration but the Council's priority will always be to move you from your emergency situation as quickly as possible.

The demand for housing stock in Havering is such that even if you have a high priority for re-housing, you will have to be flexible about where you move to and the type of property you would be willing to live in. As we are moving you for an urgent reason, we cannot guarantee that we can move you to a similar property, for example to remove you from a position of risk you may be moved from a house to a flat or from a property with a garden to a flat with no garden. When moving you for an urgent reason, we may move you to a property with the same number of bedrooms even if you are overcrowded (but not statutorily overcrowded) or to a smaller property if you are under-occupying. It may not be possible to offer you the type of property that you would like, in the area that you would like. So, re-housing should be considered by everyone involved as a last resort when **all** other options have been explored but have proven unsuccessful. If you are a council or housing association tenant then we will first try to find you a mutual exchange partner.

5.1 I think I have an emergency need to move, what should I do?

If you are a Havering Council tenant you should contact your Tenancy and Neighbourhood Services Manager on 01708 434000 as soon as possible if you think there are special reasons why you need to move.

If you are a housing association tenant, you should contact your landlord.

It is very important that you co-operate with the investigation, whoever is carrying it out. If you do not, all the relevant information may not be available for us to use when making a decision about your re-housing priority.

You may ask someone else to make a request on your behalf. This may be a solicitor, a social worker, or other advocate. If a third party makes a request, it will usually be referred to the Tenancy and Neighbourhood Services Manager to investigate.

We will assess your circumstances to see whether you need to be considered for re-housing before other applicants on the Housing Register. We will consider the reasons why you feel you cannot continue to live there. We will also consider whether it is reasonable for you to live there, the support you have there and if there are actions that can reasonably be taken to help you to continue to live there. Remember, re-housing is the last resort when **all** other options have been explored but have proven unsuccessful.

6. HELPING YOU WHEN YOU NEED TO MOVE BECAUSE OF OVERCROWDING OR UNSATISFACTORY HOUSING CONDITIONS

If you apply to join the Housing Register because you think you are overcrowded or living in unsatisfactory housing, we will assess your current housing circumstances and this assessment will contribute to which band you are placed in.

Please note that if you advise in your application or any amendment to your application that your property is overcrowded and it is found that it has been intentionally made overcrowded, then the applicant(s) will not be allowed to bid for one year.

6.1 Statutory overcrowding

If an inspection by Havering Council's Environmental Health Team has determined that you are statutorily overcrowded under Part 10 Housing Act 1985 or there is a Category 1 hazard under Crowding and Space category (HHSRS) at the dwelling you will be placed in the Emergency Band.

6.2 Overcrowding: the level applicable to the Homeseeker Band

We will consider that you are lacking bedrooms if:

- your household or all the people you are currently living with have fewer bedrooms than we think you need – see section 7.6

or

- you are aged 25+ years and you are sharing with a same sex sibling in a property with three or more bedrooms. Please note: only you, rather than the whole household, can register for a move if this form of overcrowding applies to you.

6.3 Insanitary housing

We will give you priority for an assisted move if the Council's Environmental Health Team has determined that you are living in insanitary housing, there is an urgent need for you to move and this cannot be put right by yourself or your landlord through advice and/or investment by yourself or your landlord.

7. CHOICE HOMES AND OFFERING YOU A HOME

7.1 Havering Council's Choice Homes choice-based lettings scheme – our statement of choice for applicants

We aim to maximise the choice of accommodation open to those wishing to rent a social or affordable home in Havering by operating a choice-based lettings system called Havering Council's Choice Homes.

All those who are registered in the Homeseeker Band, with or without Community Contribution Reward will be eligible to 'bid' for the home they are interested in.

7.2 How will we decide who is offered each property?

When a property becomes vacant we will do the following:

1. check whether the property is suitable for someone who needs an assisted offer. If it is, we will offer on this basis and will not advertise it through Choice Homes
2. if we do not need to give anyone an assisted offer of the property, we will advertise it through Havering Council's Choice Homes choice-based lettings system.

Properties will be advertised on the internet at www.ellcchoicehomes.org.uk and in the weekly Choice Homes magazine. The means of advertising properties may change from time-to-time.

When we consider to whom we will offer a property through Havering Council's Choice Homes scheme, we will:

- look at all applicants who have bid for the property
- list all the bids in the following order, (a) bids from applicants with the Community Contribution Reward in descending order of effective date, that is, the bid with the oldest effective date is listed first, then (b) bids from other applicants in the Homeseeker Band in descending order of effective date – see section X3.4.2 for more details of the effective date
- offer the property to the bidder at the top of the list – so long as they are eligible for the size and type of property.

To be absolutely clear, for each property advertised applicants with the Community Contribution Reward will always have a priority for housing over others in the Homeseeker Band without Community Contribution Reward unless no households with a Community Contribution Reward have bid for that property.

7.3 Local Lettings Plans

We may publish Local Lettings Plans if we believe it would be fairer to set aside a certain number of lettings for specific types of applicants. If we do this, we will publicise the plans widely.

Local lettings plans could cover a small area of the borough, a specific area of new homes and/or a certain type of housing, for example extra care housing for older people.

7.4 When will I be offered a property?

As soon as you are on the Housing Register, you will be given a bidding number and can start bidding for available properties through Havering Council's Choice Homes choice-based lettings system.

How long you will be on the Housing Register before you are successful through Choice Homes is a very difficult question for us to answer. It depends on how many properties become available, how your application has been assessed and how many other people bid for the properties in which you are interested.

Some properties are in higher demand than others. This means that more people are likely to bid for them. Whether you choose to wait longer for a high demand property, or are willing to bid for a property that comes up more quickly in an area that is in lower demand, is your decision. You should be aware that there are implications for you if you make a bid, are offered a property and then refuse it. Please read sections 7.11 and 7.12 very carefully.

When you see a property that you are interested in, we strongly recommend that you visit the road, neighbourhood and consider local schools, shops, parks and other amenities (as appropriate) before placing your bid by the deadline. This will help you decide whether you want to bid for the property. As with any decision about moving home, sometimes a compromise needs to be reached.

7.5 Helping you to make successful bids

We want to give you as much information as possible about the properties available, the number of people bidding and the assessment of previously successful bidders.

To help you:

- we will print details in the Choice Homes magazine of the number of bids received for the properties we advertise, along with details on the assessment of the top priority bidder and how long they have been on the list. This information is also available on the Choice Homes website
- the Choice Homes website – www.ellcchoicetohomes.org.uk – will show you where you will be on the list for a property if you choose to bid for it.

7.6 What size and type of property am I eligible for?

The size and type of property which you are eligible for will depend on the size of your household. There will be no difference between existing Havering Council tenants and new applicants.

Here are the households that are eligible for the different size of properties available.

1 bedroom property or studio

- Single person / couple with no children

2 bedroom property

- Single person / couple with:
 - one child of any age
 - two children of different sexes where both are under 10 years
 - two children of different sexes where both are under 16 years
 - one other person (not the lead tenant's partner or child) or couple

3 bedroom property

<ul style="list-style-type: none"> • Single person / couple with: <ul style="list-style-type: none"> • two children of different sexes, at least one is 10 years or over • three children of any sex or age • four children of the same sex • four children with 2 girls of any age and 2 boys of any age • four with 3 of the same sex and one of the opposite sex, where one girl and one boy are both under 10 years • one person (not the lead tenant's partner or child), with or without a partner + one child, or two children of different sexes who are both under ten, or two children of the same sex regardless of age
<p>4 bedroom property</p> <ul style="list-style-type: none"> • Single / couple with: <ul style="list-style-type: none"> • four children where the need for a 3 bedroom property does not apply • five children of any sex or age • six children of the same sex regardless of their age • six children with five of the same sex and one of the opposite sex where there is one girl and one boy both aged under 10 years • six children with four of the same sex, two of the opposite sex regardless of the age of the children • six children with three girls and three boys where all the bedrooms available to the children can be shared by either a girl and boy under 10 years or the same sex children of any age can share • one of the reasons for being eligible for a three bedroom property plus one person (not the lead tenant's partner or child), with or without a partner
<p>5 bedroom property</p> <ul style="list-style-type: none"> • Single / couple with: <ul style="list-style-type: none"> • six children where the rules for a 4 bedroom home do not apply • seven children of any sex or age • eight children all of the same sex • seven of the same sex and one of the opposite sex where one girl and one boy are both under 10 years • eight children with five of the same sex and three of the opposite sex, where all four bedrooms available for the children can be shared by either a girl and boy who are both under 10 years or two children of the same sex regardless of age • eight children with four girls and four boys • one of the reasons for being eligible for a four bedroom property plus one person (not the lead tenant's partner or child), with or without a partner

7.7 Would I be eligible for a property with a garden?

We do not have many properties with gardens, whether houses or flats, therefore we prioritise certain households for properties with gardens. The following households are eligible for properties with gardens:

- a household with at least one child under 16 years of age
- a household where the Council accepts that there is a medical or welfare need for a garden
- a household who has a need to move for emergency reasons and the only type and size of property suitable happens to have a garden
- a household which is downsizing from a larger property.

Please note that if the Council is making you an assisted offer as a 'management transfer', that is, under the Emergency rehousing route we have accepted that you need to transfer from your

current council property to another one, you will **not** automatically be offered a property with a garden even if you are moving from a property with a garden.

7.8 Can I bid for a home that is smaller than I need?

Sometimes people are so keen to move that they say they will accept a property with fewer bedrooms than they are eligible for. We urge you to think very carefully about this.

If you bid for a property that is smaller than you need, we will normally offer that property unless one of the following applies:

- you would become statutorily overcrowded in the new property – this is because this is against the law
- the only reason we have accepted you on the Housing Register is that your current home is too small and you bid for a property that is the same size as that you are currently living in.

7.9 Making you an Offer

If you have bid for the property through Havering Council's Choice Homes choice-based lettings system

If you have been successful through Havering Council's Choice Homes and we wish to make you an offer, we will contact you by telephone to arrange for you to view the property. You must let us know whether you are going to accept the offer on the day of viewing or by no later than 10.00am the following day.

If we are making an assisted offer to you because of an Emergency rehousing need

In these circumstances, we will contact you by telephone or letter giving you the details of the property that is being offered to you and making an arrangement for you to view it. You must let us know whether you are going to accept the offer on the day of the viewing or by no later than 10.00am the following day.

Note for Havering Council tenants with a fixed-term tenancy

If you are a Havering Council tenant and we do not intend to grant a new tenancy for the current property, you will be given 6 weeks to bid for other properties. If you are not successful during this period, we will deal with your case as an Emergency need for moving and you will be given up to two alternative suitable offers. These offers may be of council or housing association properties.

7.10 Situations where we may withdraw an offer

7.10.1 Unacceptable Behaviour

We may withdraw an offer if at the point of offer we discover that:

- you or others on your housing application are, or have been, guilty of unacceptable behaviour, *and*
- the unacceptable behaviour is of a type and severity that would have entitled the Council to have obtained a possession order had we been the landlord.

7.10.2 Breaches of tenancy

We may withdraw an offer if at the point of offer we discover that you have breached a tenancy with the Council or another landlord owing through:

- fraudulent behaviour
- causing serious damage to property.

7.10.3 Fraudulently Obtained Tenancies

We may withdraw an offer if at the point of offer we discover that you have previously gained a tenancy, or attempted to do so, by means of:

- knowingly or recklessly giving false information in respect of any matter relating to your application
- withholding information or failing to notify us of any changes in your circumstances may affect your eligibility and/or priority for housing.

7.11 What happens if you offer me a property and I do not accept it, or I do not turn up to view it?

There is very high demand for council and housing association properties in Havering. If you do not turn up to view a property without telling us beforehand, we will assume that you have refused the property.

We recognise that when you are offered a property, whether as a result of bidding through Choice Homes (the Council's choice based lettings system) or as an assisted offer directly from the Council, you may wish to refuse it, even if it is the right size and in one of your preferred areas. We suggest you think carefully about whether to accept or refuse an offer as this could have a big impact on when we will make your next offer. The impact of refusing an offer will depend on your current circumstances. This is shown in table 5 below.

If the choice based lettings software states that you are eligible for the accommodation as a priority bidder and we then confirm you are not, we will confirm in writing the reasons why this is the case.

Table 5 – Housing circumstances and offers

Housing circumstances	The offers we will make
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Emergency rehousing	We will give you up to two assisted offers. Should you refuse both offers, we will lower your priority to the Homeseeker Band or remove you from the Housing Register if you are no longer eligible.
Homeseeker band with or without Community Contribution Reward – excluding the housing circumstances listed below	<p>You can receive up to two suitable offers from us without penalty. Refusing two suitable offers from us will lead to a penalty for you.</p> <p>This is how it works.</p> <p>Each time a new Choice Homes list is published, you will be able to bid for up to two properties in which you are interested.</p> <p>If one of your bids is successful, we will offer the property to you.</p> <p>You can:</p> <ul style="list-style-type: none"> • accept the offer and become the tenant • refuse the offer. <p><i>What happens when you refuse an offer</i></p> <p>We will assess whether the property is suitable for you.</p> <p>If we believe the property is suitable, it will count as one of the two offers you can have without penalty.</p> <p>If we believe the property is not suitable, the offer will not count towards the two offers you can have without penalty.</p> <p><i>What happen when you refuse a second offer</i></p> <p>We will assess whether the property is suitable for you.</p> <p>If we believe the property is suitable, you will not be able to bid again for six months.</p> <p>If we believe the property is not suitable, the offer will not count towards the two offers you can have without penalty.</p>
Other transfers: Pan-London mobility scheme <i>housingmoves</i>	This is a London-wide scheme helping existing social tenants to transfer to other parts of London. All London boroughs have adopted this scheme and it operates separately to our choice based lettings scheme. Details on the scheme, including adverts and how to bid for a property can be found at www.housingmoves.org
Other transfers: Seaside and Country Homes - <i>housingmoves</i>	housingmoves helps existing social housing tenants living in London to find alternative accommodation. In addition to the cross-London scheme there is also a <u>Seaside & Country Homes scheme</u> (for households where the eldest member is 60 years of age or older). A link to the Seaside & Country Homes Scheme can be found at www.housingmoves.org Alternatively, please contact the Council's Lettings Team on 01708 434130.

7.12 What happens if I refuse a housing association property the Council has nominated me for?

You may have bid for housing association through Choice Homes, or we may have made you an assisted offer of a housing association property.

We consider council and housing association properties in the same way, so we will assess a refusal of an offer of housing association accommodation to which we have nominated you in the same way as refusal of a council property.

We will always consider refusals of offers on a case-by-case basis. We recognise that housing associations may offer different lengths of tenancies and/or different types of rent than the Council. We will take these factors into account when assessing a refusal. But please remember, simply refusing an offer of housing association accommodation just because you would prefer a council property will not be considered a suitable reason for refusal.

7.13 What happens if the housing association does not accept me?

If a housing association turns you down because although under the Council's Allocations Scheme you would be eligible for the property, but you would not be eligible for property under the housing associations' scheme, we will not hold this against you. The only exception would be if as part of the allocations process the housing association found something about your application, for example that you have given false information, that we did not already know.

7.14 What if a Council tenant is offered a transfer, but someone else in the household is separately on the housing register?

If you are a Havering Council tenant and we offer you a transfer to another property, everyone in the household must move out and you must hand back your home without anyone still living there.

That means that even if a member of your household is separately registered with us, they must move out when you do and continue to wait for their own offer. They can, of course, transfer with you or make their own arrangement to move somewhere else when you move. Unfortunately, they cannot stay in the property you are transferring from.

7.15 What happens when I accept a council or housing association property

7.15.1 Existing tenants moving within Havering Council's housing stock

If you have a secure lifetime tenancy, you will retain this tenancy and your existing rights. More details can be found in our Tenancy Policy at Appendix 4.

7.15.2 New tenants moving in to a council or housing association property

You will be given an Introductory Tenancy if you do not already hold a Secure Lifetime Tenancy with Havering Council, or another council, or an Assured Tenancy with a housing association.

When we give you an Introductory Tenancy we will explain that when this tenancy comes to an end, it will transfer to a Fixed-term tenancy and we will set out the length of the fixed-term tenancy and terms. Details of our fixed-term tenancy policy can be found at Appendix 4.

There is one exception to this; we will give you a Secure Lifetime Tenancy when you are moving to a home for people aged 60+ (sheltered or supported housing or a property in general needs housing designated for people aged 60+).

Please note that housing associations and councils have adopted individual Tenancy Policies that set out the type and length of fixed-term tenancies they provide. Housing Associations can also charge an Affordable Rent for some of their properties. Affordable Rents can be up to 80% of the market rent (including service charges).

In addition, should you move out of Havering Borough, for example through a housing transfer scheme, and then decide to move back into the borough, you will need to do so through a transfer or alternatively meet the residency criteria and have a housing need to be eligible for the Council's Housing Register.

7.16 Offers to homeless households

If our Housing Advice and Homelessness team has found that the Council owes you a full housing duty because you are homeless, we will:

- offer you a property leased by the Council from a private landlord. These properties are referred to as private sector leased (PSL) properties. The rents charged are full private sector rents. You may be eligible for full or partial Housing Benefit (Local Housing Allowance) to assist you with meeting these costs. You will have a non-secure tenancy with the Council
- assess your housing application in accordance with this Allocations Scheme.

We will make every effort to offer accommodation that best meets the size of the household. However, accommodation offered to a homeless applicant under a full homelessness duty, whether in the council, housing association or private sector property, will be deemed to be suitable in terms of size so long as the household is not statutorily overcrowded.

You have a right to review the suitability of the PSL property offered. Refer to our leaflet – 'Homeless Decisions – Your Right to Request a Review' for more details.

In the interests of sustainable communities, in very exceptional circumstances, we may make an offer of a council or housing association property to a homeless household. These exceptional circumstances include, but are not limited to, you having very specific medical or welfare needs and only a council or housing association property is available that meets these needs.

Please note that based on the pattern of homeless households' needs to date, it is anticipated that the vast majority of homeless households will initially be offered a private sector leased (PSL) property or another form of private rented housing.

If our Housing Advice and Homelessness Team has found that the Council owes you a full housing duty because you are homeless but you are in full-time education or you have a confirmed placement in:

- full-time education and are not eligible to claim housing benefit
- someone with a need for sheltered housing, or
- a disabled person with specific housing needs,

we will make you one assisted offer of Council, Housing Association or privately rented accommodation.

7.16.1 What happens if my housing circumstances change whilst I am living in a private sector leased (PSL) property?

Sometimes the property that you are living in will no longer meet the needs of your family. For example, your family size may increase and you become overcrowded or family members may leave the household and you find that the property is too large for you. In these situations we may make you an offer of an alternative PSL property which better suits your needs. Your priority on the Housing Register will not change.

8. OTHER REHOUSING OPPORTUNITIES

If you are not eligible to join the Housing Register or if you are on the Register but you feel that you are not receiving offers of accommodation quickly enough through Havering Council's Choice Homes choice-based lettings system, you may want to consider other housing options such as shared ownership, home swap, exchange schemes or private renting. These options are discussed below.

8.1 Mutual Exchange Scheme

A mutual exchange is when two or more tenants swap homes once they have the permission of all landlords involved, whether Havering Council, a housing association or another council. Given the demand for and the shortage of social housing in Havering, the waiting time for a transfer can be lengthy and therefore, for many tenants a mutual exchange is their best prospect for moving.

As a Havering Council tenant there are free ways to register for a mutual exchange. You can advertise your property and search for prospective exchange partners. Full details will be displayed of matches found. Please contact us for details of schemes that are available.

We will only say no to your request to exchange for a limited number of reasons, which are defined by law (The Housing Act 1985 and the Housing Act 2004) these include, but are not limited to that:

- either tenant is moving to a home that is inadequate for their needs, for example on health grounds, or that it would be too small
- either tenant is moving to a home that is substantially too large for their requirements
- there is a current order for possession made by the Court in respect of any of the tenancies involved
- any of the properties are adapted, sheltered, warden-controlled or other special needs unit and the tenant moving in to the property is not eligible for or does not need it
- the accommodation is tied, that is it is given to the tenant as a consequence of his/her employment and the right to occupy the accommodation ceases upon the employment coming to an end
- any of the tenants has been issued with a Notice of Seeking Possession.

A full list of reasons for not giving consent for a mutual exchange is available from the Under occupation and Mobility Officer. If we are unable to give consent for your mutual exchange, we will give the full reasons for this.

Due to the shortage of social housing we are unable to allow exchanges that would result in under occupation of accommodation. Therefore please refer to the table 2 listing the eligibility for the Allocations of accommodation. This will assist you in identifying your eligibility before you submit your request for an exchange. However, if you are a Havering tenant who has registered to downsize to smaller accommodation, you will be permitted to exchange to accommodation that has one room in excess of your requirements.

You may not be able to swap tenancies straight away if, for example, you owe rent, or there are repairs needed to the property that you have to carry out. However, once these matters have been sorted out, you should be able to move, so long as the factors listed above do not apply.

If we say no to the mutual exchange request, we will tell you in writing the reasons for this. You have the right to appeal this decision and should put your appeal to the Housing Needs and Service Development Manager in the first instance. However you have a right to refer the decision to the County Court if you disagree with it.

8.2 Shared ownership schemes

If you are interested in buying a home but are on a low income, we may be able to help you. These schemes are available through housing associations.

Shared ownership is where you can buy a share of a property, paying a mortgage on that share and rent on the remaining share. If you are on a low income, this can give you the chance to own your own home in stages. When your income increases, you can buy further shares in the property until you own all of it. Contact the Housing Needs and Service Development Team for more information or for more online information, please use the following link to access the First Steps website <http://www.firststepslondon.org/>

8.3 Downsizing Incentive Scheme

The Council has introduced a 'Downsizing Incentive Scheme' to enable council tenants to move to smaller accommodation that meets their needs. This will help meet the increasing demand from people living in overcrowded conditions who are on the housing register. This scheme is subject to change from time to time. Please contact the Lettings Team for a copy of the scheme details on 01708 434130.

8.4 Private renting options

To help us keep up with the increasing demand for housing, we can now help some people move into a home in the private sector. In recent years, we have been offering local landlords more-and-more incentives through a range of different schemes to rent or lease their properties to us which we can use to accommodate people who are in housing need or just struggling to find a home. All of these options are operated by the Council's Private Housing Solutions Team who can be contacted on 01708 431010. They can help you look at options of a properties in the private sector including Private sector leased (PSL) accommodation and private tenancies managed by the Council.

9.1 What happens if I make my housing circumstances worse?

If you have made your own housing circumstances worse, we may refuse your application until such time that there has been a change in your circumstances. An example of making your situation worse would be if you have abandoned a tenancy without good reason.

9.2 Community safety

The Council works in partnership with the Police, the Probation Service and other housing providers to manage risk to the community when, for instance, re-housing offenders. If you are an ex-offender and it is likely to have implications for community safety, you may be refused housing in certain areas and may only be offered accommodation in specific areas or have your registration suspended.

Suspending your registration would be temporary only and would be subject to ongoing review.

9.3 Prisoners

If you receive a prison sentence of over 12 months and are a Council or housing association tenant without other family, you will be unlikely to receive Housing Benefit. You may need to give up your tenancy and apply to go on the Housing Register. This means we can consider you for re-housing when you are released.

Special rules apply to some ex-offenders, applicants leaving prison or people living in bail hostels. Sometimes, we may need to exclude people from our Housing Register.

9.4 The options if you need some support to live in your own home

We work closely with Social Care and health services to try to provide the most appropriate housing to people with particular needs.

The Council and some of our partner housing associations have developed housing with support schemes. These schemes are designed to help you maintain your tenancy. There are a lot of different support packages available. Please ask the Housing Needs and Service Development Team if you would like more information.

9.5 Telecare Service

Havering Council's Telecare Centre provides a range of careline and telecare services including installation of equipment and 24/7 call monitoring with an emergency response service which is available to everybody including vulnerable residents to aid independent living. There is a weekly charge for the service but clients assessed by Social Services as having a substantial need may receive the service free of charge. For further information contact the Telecare Team on 01708 756047 or email rjc@havering.gov.uk

9.6 People with physical disabilities

If you, or a member of your family, has a physical disability then there are a number of ways we can help you.

For example, if you are a Council tenant and you live in a house but can no longer manage the stairs, then we may be able to help with the necessary adaptations to your home.

If you are an owner-occupier and are unable to manage the stairs or require an adaptation to allow access around the house, we may be able to help you with a Disabled Facilities Grant. For more information, please call the Grants Team on 01708 434070.

If you require a move, we may be able to offer you a specially adapted Council or housing association property.

You may be awarded a higher priority on the Housing Register because of the unsuitability of your current property or because you may need to move near to relatives for support.

9.7 People with mental health problems or a learning disability

If you have always lived with parents or carers but are now looking to move into your own accommodation, then we may be able to help you. We may give you additional priority on our register and make sure that any support you need is in place before you move into your new home. It may be that you will need to move into more supported accommodation before you can move into your own flat. We will always work with Social Services to make sure that you eventually have the home that best suits your needs.

If you need housing with support, we will need to work with Social Services and other relevant agencies to make sure you are allocated appropriate accommodation and an appropriate support package.

9.8 Older People

If you are over retirement age, we may be able to help you with a flat or bungalow in one of the Council's or a housing association's supported housing schemes. You have your own flat and can be as independent as you like. Many of these schemes have a common room, which means you can socialise with your neighbours if you wish. Supported housing is not a nursing or a residential home so it will not be suitable if you need a high level of care. All our supported accommodation has access to our 24- hour Telecare Service to make sure help is always at hand.

For details on the Council's Supported housing schemes, please call the Housing Needs and Service Development Team for more information on 01708 434130 or e-mail lettings@havering.gov.uk

9.9 Access to personal information

You have a legal right to inspect or receive a copy of your Housing Register file under the Data Protection Act 1998. Please contact the Complaints and Compliance Officer, Housing Needs and Strategy Housing Team, should you wish to arrange this.

You have a legal right to inspect our computer records about yourself. We can only withhold information if it would cause harm to another person if such information were shown to you.

We believe our Allocations Scheme is fair and transparent. We aim to make decisions about your housing application that are clear for you to understand.

10.1 Appealing a decision about your housing register application

If you believe we have made an incorrect or unfair decision about any aspect of your housing application, please put this in writing to us either by post or e-mail.

We need you or your representative to write to us so that we have a written record from you that can be logged and investigated. Your appeal will be considered by an officer who was not involved in the original decision.

Please send your letter to: Housing Needs and Service Development Manager
Housing and Public Protection

5th floor Mercury House
Mercury Gardens
Romford
RM1 3DT

Please send your e-mail to: lettings@havering.gov.uk

10.2 Refusing an offer of a property

If you wish to refuse a property we have offered you, please complete the refusal form that we give you at the time of viewing. Either hand it to the officer showing you round the property, or send it to:

Lettings Team
Housing and Public Protection
5th floor Mercury House
Mercury Gardens
Romford
RM1 3SL

Please send your e-mail to: lettings@havering.gov.uk

10.3 Council's complaints procedure

You can, of course, use the Council's formal complaints procedures if you are unhappy with the way we have treated you. 'Comments, compliments, complaints' leaflets are available from all council offices or on request, or via the Council's website at www.havering.gov.uk/complaints

11 EXPLANATION OF TERMS USED IN THIS DOCUMENT

Affordable homes	Housing associations are now allowed to set affordable rents for new build homes and a proportion of their existing homes when they become available and are re-let. These rents can be up to 80% of the private market value (and includes the service charge. There is a symbol showing which homes will be let at an Affordable rent on the Choice Homes website and magazine – the symbol will be shown with each property that has this type of rent. An affordability calculator is available on the website so that prospective tenants can see whether they are likely to afford the rent before they bid for the property.
Assisted offer	An assisted offer is when the council makes a direct offer taking into account the needs of the applicant or someone else in their household.
Choice Homes	This is the name of the Council's choice based letting system. The website allows you to bid for social and affordable homes when they become available. The website contains adverts, including property photographs, details about accessibility, the rents and service charge. It also highlights properties that will be rented at an Affordable Rent (up to 80% of market rents) as well as those at a social rent.
Domestic violence	<p>Defining domestic violence can be difficult and contentious, with different individuals and agencies wanting to stress one aspect of domestic violence over another. The Havering Domestic Violence Forum has an agreed core, common definition that all member agencies use. This is based on that used by the Association of Chief Police Officers. For clarity and consistency Homes in Havering adopts the Havering Domestic Violence Forum's definition of domestic violence abuse.</p> <p>Domestic Violence is: Any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults⁸ who are or have been intimate partners or family members regardless of gender or sexuality⁹.</p>
Fixed-term tenancy	Council and housing associations are able to provide fixed term tenancies (introduced by Government legislation in 2011). Havering Council will be keeping secure lifetime tenancies for some tenants. We will normally provide 5-year fixed-term tenancies for most tenants and 3-year tenancies in exceptional circumstances. A copy of the Council's Tenancy Policy can be found at Appendix 3.
Former tenant arrears	Someone has former tenant arrears when they have rented a home previously and have not paid their full rent. They then have rent arrears when they leave the property.
HHSRS	Housing Health and Safety Rating System

⁸An adult is defined as any person aged 18 years or over. Violence involving people under 18 years of age is classified as child abuse and is dealt with by separate policies and legislation. Nevertheless, children and young people are affected by domestic violence. Not only are many traumatised by what they witness or overhear, but this is frequently direct child abuse occurring with domestic violence.

⁹ Family members are defined as mother, father, son, daughter, brother, sister and grandparents, whether directly related, in-laws or step-family.

Housing register	This is sometimes known as the housing waiting list.
Local Housing Allowance	If you are renting a property or room from a private landlord, the Local Housing Allowance is used to work out how much Housing Benefit you get.
MARAC	Multi-Agency Risk Assessment Conferences (MARACs) are meetings where information about high risk domestic abuse victims (those at risk of murder or serious harm) is shared between local agencies. By bringing all agencies together at a MARAC, a risk focused, coordinated safety plan can be drawn up to support the victim.
Nominate	A council has the right to nominate an applicant to be the tenant of a housing association property when a nomination agreement is in place.
Overcrowding	This is when a home is found to be too small for the household living there. There are two legal standards that the Housing Needs and Service Development Team uses called the 'room standard' and 'space standard'. Refer to section 7. If you think you are overcrowded, call the team for an assessment.
Private sector leased properties (PSL)	Private sector leased properties – these are leased by the Council from a private landlord and tenants have a non-secure tenancy with the council.
Registered Providers	These are also known as housing associations or registered social landlords.
Regular forces	Meaning given by s. 374 Armed Forces Act 2006(b) "the regular forces" means the Royal Navy, the Royal Marines, the regular army or the Royal Air Force, and references to "a regular force" are to be read accordingly.
Reserved forces	Meaning given by s. 374 Armed Forces Act 2006(b) "the reserve forces" means the Royal Fleet Reserve, the Royal Naval Reserve, the Royal Marines Reserve, the Army Reserve, the Territorial Army, the Royal Air Force Reserve or the Royal Auxiliary Air Force, and references to "a reserve force" are to be read accordingly.
Secure tenancy	This is a 'lifetime' tenancy. Until 31 March 2013, all Havering Council tenants were given these types of tenancies. From 1 April 2013 the Council will continue to provide secure tenancies to people who move to a home for people aged 60+ (sheltered or supported housing or a property in general needs housing designated for people aged 60+, or if someone if transferring from a Havering Council property to another Council's property and they already have a secure tenancy, or from a housing association property if they have an assured tenancy.
Social home / rent	The rent for these homes is below the private market value and the Government sets the maximum limit. Social rents are lower than Affordable Rents. Havering Council tenants pay social rents.

APPENDIX 1 – FINANCIAL ASSESSMENT

Please also refer to section 2.1.2 “Circumstances that mean you cannot join the Housing Register”.

You will not be able to join the Housing Register if you have sufficient income to be able to afford private rented housing in the borough. We will ask you about your income and savings on your housing register application form to assess whether you can afford to privately rent in the Borough.

Because of the severe shortage of social and affordable rented properties in the borough, if you have sufficient money to afford to rent privately in the borough, you will not be accepted on to the housing register. You will be deemed to be able to rent privately in the borough if you:

Need a 1 bed property

An average rent of £713pcm (£8,556 a year)

You would need to earn at least £24,446 per year (gross)

Need a 2 bed property

An average rent of £929pcm (£11,148 a year)

You would need to earn at least £31,852 a year (gross)

Need a 3 bed property

An average rent of £1,108pcm (£13,296 a year)

A household would need to earn at least £37,989 a year (gross)

Needs a 4 bed property

An average rent of £1,643pcm

A household would need to earn at least £56,332 a year (gross)

Savings of more than £16,000 will be taken into account.

Income and savings will be reviewed on the 1st April each year.

Housing Related Debt: You will not be eligible to join the Housing Register if you have housing-related debts totalling more than £400 owed to the London Borough of Havering. This includes rent arrears and debts to Council Tax, Housing Benefit or Council Tax Benefit. Debts to other Local Authorities or Registered Providers will also be taken into consideration.

This figure will be reviewed annually on 1st April every year.

APPENDIX 3 – ELIGIBILITY AND QUALIFICATION

(Chapter 3, *Allocation of accommodation: guidance for local housing authorities in England*, CLG (June 2012))

Eligibility and qualification

Housing authorities must consider all applications made in accordance with the procedural requirements of the authority's allocation scheme (s.166(3)). In considering applications, authorities must ascertain:

- if an applicant is eligible for an allocation of accommodation, and
- if he or she qualifies for an allocation of accommodation

Eligibility

3.2 An applicant may be ineligible for an allocation of accommodation under s.160ZA(2) or (4). Authorities are advised to consider applicants' eligibility at the time of the initial application and again when considering making an allocation to them, particularly where a substantial amount of time has elapsed since the original application.

Joint Tenancies

Under s.160ZA(1)(b), a housing authority must not grant a joint tenancy to two or more people if any one of them is a person from abroad who is ineligible. However, where two or more people apply and one of them is eligible, the authority may grant a tenancy to the person who is eligible. In addition, while ineligible family members must not be granted a tenancy, they may be taken into account in determining the size of accommodation which is to be allocated.

Existing Tenants

The eligibility provisions do not apply to applicants who are already secure or introductory tenants or assured tenants of a Private Registered Provider. Most transferring tenants fall outside the scope of the allocation legislation (s.159(4A)); while those who are considered to have reasonable preference for an allocation are specifically exempted from the eligibility provisions by virtue of s.160ZA(5).

Persons from abroad

3.5 A person may not be allocated accommodation under Part 6 if he or she is a person from abroad who is ineligible for an allocation under s.160ZA of the 1996 Act. There are two categories for the purposes of s.160ZA:

- (i) *a person subject to immigration control* - such a person is not eligible for an allocation of accommodation unless he or she comes within a class prescribed in regulations made by the Secretary of State (s.160ZA(2)), and
- (ii) *a person from abroad other than a person subject to immigration control* - regulations may provide for other descriptions of persons from abroad who, although not subject to immigration control, are to be treated as ineligible for an allocation of accommodation (s.160ZA(4)).

3.6 The regulations setting out which classes of persons from abroad are eligible or ineligible for an allocation are the Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006 (SI 2006 No.1294) ('the Eligibility Regulations').

Persons subject to immigration control

3.7 The term 'person subject to immigration control' is defined in s.13(2) of the Asylum and Immigration Act 1996 as a person who under the Immigration Act 1971 requires leave to enter or remain in the United Kingdom (whether or not such leave has been given).

3.8 The following categories of persons do not require leave to enter or remain in the UK:

- (i) British citizens
- (ii) certain Commonwealth citizens with a right of abode in the UK
- (iii) Irish citizens, who are not subject to immigration control in the UK because the Republic of Ireland forms part of the Common Travel Area (see paragraph 3.11 (iii) below) with the UK which allows free movement
- (iv) EEA nationals¹⁰, and their family members, who have a right to reside in the UK that derives from EU law. Whether an EEA national (or family member) has a particular right to reside in the UK (or another Member State) will depend on the circumstances, particularly their economic status (e.g. whether he or she is a worker, self-employed, a student, or economically inactive)
- (v) persons who are exempt from immigration control under the Immigration Acts, including diplomats and their family members based in the UK, and some military personnel.

Any person who does not fall within one of the four categories in paragraph 3.11 will be a person subject to immigration control and will be ineligible for an allocation of accommodation unless they fall within a class of persons prescribed by regulation 3 of the Eligibility Regulations (see further below).

3.10 If there is any uncertainty about an applicant's immigration status, housing authorities are recommended to contact the UK Border Agency (UKBA). UKBA provides a service to housing authorities to confirm the immigration status of an applicant from abroad (non asylum seekers) by email at LA@UKBA.gsi.gov.uk. Where UKBA indicates the applicant may be an asylum seeker, enquiries of their status can be made to the Immigration Enquiry Bureau helpline on 0870 606 7766.

3.11 Regulation 3 of the Eligibility Regulations provides that the following classes of persons subject to immigration control are eligible for an allocation of accommodation:

- i) *a person granted refugee status*: granted 5 years' limited leave to remain in the UK
- ii) *a person granted exceptional leave to enter or remain in the UK without condition that they and any dependants should make no recourse to public funds*: granted for a limited period where there are compelling humanitarian or compassionate circumstances for allowing them to stay. However, if leave is granted on condition that the applicant and any dependants are not a charge on public funds, the applicant will not be eligible for an allocation of accommodation. Exceptional leave to remain (granted at the Secretary of State's discretion outside the Immigration Rules) now takes the form of 'discretionary leave'.
- iii) *a person with current leave to enter or remain in the UK with no condition or limitation, and who is habitually resident in the UK, the Channel Islands, the Isle of Man or the Republic of Ireland* (the Common Travel Area): such a person will have indefinite leave to enter (ILE) or remain (ILR) and is regarded as having settled status. However, where ILE or ILR status is granted as a result of an undertaking that a sponsor will be responsible for the applicant's maintenance and accommodation, the person must have been resident in the Common Travel Area for five years since the date of entry - or the date of the sponsorship undertaking, whichever is later - to be eligible. Where all sponsors have died within the first five years, the applicant will be eligible for an allocation of accommodation.

¹⁰ European Economic Area nationals are nationals of any EU member state (except the UK), and nationals of Iceland, Norway, Liechtenstein and Switzerland.

- iv) *a person who has humanitarian protection granted under the Immigration Rules*⁶: a form of leave granted to persons who do not qualify for refugee status but would face a real risk of suffering serious harm if returned to their state of origin (see paragraphs 339C-344C of the Immigration Rules (HC 395))

Other persons from abroad who may be ineligible for an allocation

3.12 By virtue of regulation 4 of the Eligibility Regulations, a person who is not subject to immigration control and who falls within one of the following descriptions is to be treated as a person from abroad who is ineligible for an allocation of accommodation:

- (i) a person who is not habitually resident in the Common Travel Area (subject to certain exceptions - see paragraph 3.14 below)

- (ii) a person whose only right to reside in the UK is derived from his status as a jobseeker (or his status as the family member of a jobseeker). 'Jobseeker' has 13

As of 1 May 2011, nationals of the 8 Eastern European countries (A8 nationals) which acceded to the EU in 2004 are no longer required to register with the Workers Registration Scheme in order to work in the UK. Regulation 4(2)(c) of the Eligibility Regulations no longer applies to applications from A8 workers as of that date. Rather applications from A8 workers should be considered on the same basis as those from other EU workers under regulation 4(2)(a).

- (iii) a person whose only right to reside in the UK is an initial right to reside for a period not exceeding three months under regulation 13 of the EEA Regulations

- (iv) a person whose only right to reside in the Common Travel Area is a right equivalent to one of the rights mentioned in (ii) or (iii) above and which is derived from EU Treaty rights

3.13 See annex 2 for guidance on rights to reside in the UK derived from EU law.

3.14 The following persons from abroad are eligible for an allocation of accommodation even if they are not habitually resident in the Common Travel Area:

- a) an EEA national who is in the UK as a worker (which has the same meaning as in regulation 6(1) of the EEA Regulations)

- b) an EEA national who is in the UK as a self-employed person (which has the same meaning as in regulation 6(1) of the EEA Regulations)

- c) a person who is treated as a worker for the purposes of regulation 6(1) of the EEA Regulations, pursuant to the Accession (Immigration and Worker Authorisation) Regulations 2006 (ie nationals of Bulgaria and Romania required to be authorised by the Home Office to work until they have accrued 12 months uninterrupted authorised work)⁷

- d) a person who is a family member of a person referred to in (a) to (c) above

- e) a person with a right to reside permanently in the UK by virtue of regulation 15(c), (d) or (e) of the EEA Regulations f) a person who left Montserrat after 1 November 1995 because of the effect of volcanic activity there

- g) a person who is in the UK as a result of his deportation, expulsion or other removal by compulsion of law from another country to the UK. This could include EEA nationals, if the person was settled in the UK and exercising EU Treaty rights prior to deportation from the third country. Where deportation occurs, most countries will signal this in the person's passport.

3.15 A person who is no longer working or no longer in self-employment will retain his or her status as a worker or self-employed person in certain circumstances. However, accession state workers requiring authorisation will generally only be treated as a worker when they are actually working as authorised and will not retain 'worker' status between jobs until they have accrued 12 months continuous authorised employment. 'Family member' does not include a person who is an extended family member who is treated as a family member by virtue of regulation 7(3) of the EEA Regulations (see 14 annexes 2 and 3 for further guidance).

3.16 The term 'habitual residence' is intended to convey a degree of permanence in the person's residence in the Common Travel Area; it implies an association between the individual and the place of residence and relies substantially on fact.

3.17 Applicants who have been resident in the Common Travel Area continuously during the two year period prior to their housing application are likely to be habitually resident (periods of temporary absence, e.g. visits abroad for holidays or to visit relatives may be disregarded). Where two years' continuous residency has not been established, housing authorities will need to conduct further enquiries to determine whether the applicant is habitually resident (see annex 4 for further guidance).

Qualification

3.18 Housing authorities may only allocate accommodation to people who are defined as 'qualifying persons' (s.160ZA(6)(a)). Subject to the requirement not to allocate to persons from abroad who are ineligible and the exception for members of the Armed and Reserve Forces in paragraph 3.27 below, a housing authority may decide the classes of people who are, or are not, qualifying persons.

3.19 Housing authorities are encouraged to adopt a housing options approach as part of a move to a managed waiting list. A strong and pro-active housing options approach brings several benefits: people are offered support to access the housing solution which best meets their needs (which might be private rented housing, low cost home ownership or help to stay put); expectations about accessing social housing are properly managed; and social housing is focused on those who need it most. A lower waiting list can also be a by-product.

3.20 In framing their qualification criteria, authorities will need to have regard to their duties under the equalities legislation, as well as the requirement in s.166A(3) to give overall priority for an allocation to people in the reasonable preference categories.

3.21 Housing authorities should avoid setting criteria which disqualify groups of people whose members are likely to be accorded reasonable preference for social housing, for example on medical or welfare grounds. However, authorities may wish to adopt criteria which would disqualify individuals who satisfy the reasonable preference requirements. This could be the case, for example, if applicants are disqualified on a ground of anti-social behaviour.

3.22 When deciding what classes of people do not qualify for an allocation, authorities should consider the implications of excluding all members of such groups. For instance, when framing residency criteria, authorities may wish to consider the position of people.

3.23 The Government believes that authorities should avoid allocating social housing to people who already own their own homes. Where they do so, this should only be in exceptional circumstances; for example, for elderly owner occupiers who cannot stay in their own home and need to move into sheltered accommodation.

3.24 There may be sound policy reasons for applying different qualification criteria in relation to existing tenants from those which apply to new applicants. For example, where residency requirements are imposed, authorities may wish to ensure they do not restrict the ability of existing social tenants to move to take up work or to downsize to a smaller home. Authorities may decide to apply different qualification criteria in relation to particular types of stock, for example properties which might otherwise be hard to let.

3.25 Whatever general criteria housing authorities use to define the classes of persons who do not qualify for social housing, there may be exceptional circumstances where it is necessary to disapply these criteria in the case of individual applicants. An example might be an intimidated witness⁸ who needs to move quickly to another local authority district. Authorities are encouraged to make explicit provision for dealing with exceptional cases within their qualification rules.

3.26 As with eligibility, authorities are advised to consider whether an applicant qualifies for an allocation at the time of the initial application and when considering making an allocation, particularly where a long time has elapsed since the original application.

Members of the Armed Forces and the Reserve Forces

3.27 Subject to Parliamentary scrutiny, we will regulate to provide that authorities must not disqualify the following applicants on the grounds that they do not have a local connection⁹ with the authority's district:

- (a) members of the Armed Forces and former Service personnel, where the application is made within five¹⁰ years of discharge
- (b) bereaved spouses and civil partners of members of the Armed Forces leaving Services Family Accommodation following the death of their spouse or partner
- (c) 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

3.28 These provisions recognise the special position of members of the Armed Forces (and their families) whose employment requires them to be mobile and who are likely therefore to be particularly disadvantaged by local connection requirements; as well as those injured reservists who may need to move to another local authority district to access treatment, care or support.

Joint tenants

3.29 In the case of an allocation to two or more persons jointly, at least one of the persons must be a qualifying person (s.160ZA(6)(b)) and all of them must be eligible.

Fresh applications

3.30 Applicants who have previously been deemed not to qualify may make a fresh application if they consider they should now be treated as qualifying, but it will be for the applicant to show that his or her circumstances have changed (s.160ZA(11)).

APPENDIX 4 – TENANCY POLICY – TO FOLLOW

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London Borough of Havering – Draft Tenancy Strategy

1. Introduction

The Localism Act 2011 introduces a number of housing reforms. These changes include giving local authorities and Registered Providers¹ (RPs) the freedom to introduce flexible fixed-term tenancies from April which have a limited security of tenure. In addition to these, the Act also gives freedom to councils to review their allocation schemes (the subject of a separate consultation), changes to homelessness legislation and the reform of council housing finance.

The Act also requires local authorities to produce a Tenancy Strategy. As the strategic housing authority, Havering Council has been working in partnership with East London authorities and RPs to shape this draft strategy. We have also had regard to our Allocation Scheme review, Homelessness strategy and the Revised Draft London Housing strategy.

This Strategy sets out our performance to date, local information and provides guidance to RPs on the following issues:

- making best use of housing stock in the borough
- increasing housing mobility
- meeting the needs of those in priority need
- assessing affordability of 80% market rent to local people
- flexible fixed-term tenancies

As the Council owns social housing stock we set out our proposals for introducing flexible fixed-term tenancies in chapter 7 and in particular the following:

The kinds of tenancies we grant

- The circumstances in which we will provide a tenancy of a particular kind
- Where we grant tenancies for a certain term, the length of the terms, and
- The circumstances in which we will and would not grant a further tenancy when it comes to an end of an existing tenancy.

As a requirement of the Localism Act 2011, Registered Providers (RPs) need to have regard to the information contained in this Strategy when formulating their own policies.

2. Aim of the Strategy

This Draft Tenancy Strategy intends to give guidance to RPs operating in the borough so that they develop letting and tenancy policies that take account of local needs and the housing market. We want to ensure that social housing in the borough is used as effectively as possible, in order to meet those in greatest need.

This Strategy may evolve over time to take account of changing housing needs in the borough and conditions in local housing markets. The Council will keep the document under review and may modify or replace it from time to time in consultation with RPs.

¹ Registered Providers – sometimes called Registered Social Landlords or Housing Associations

3. The Policy Framework

The Council is a key partner in delivering housing change at both regional and sub-regional level. Our key strategic responsibility is to set and deliver housing-related services that meet local people's priority needs in partnership with RPs and agencies across Havering borough.

In developing this Draft Tenancy Strategy the Council has had to consider the policies of its national, regional and local partners. This section identifies the key housing policies and drivers that have informed the document.

National level

Government housing strategy

The Government's recently published housing strategy² aims to deliver homes and strengthen the economy. The strategy sets out the Government's ambitions to deliver the following 6 key priorities:

1. Increasing supply: more homes, stable growth
2. Social and affordable housing reform
3. A thriving private rented sector
4. Our strategy for empty homes
5. Quality of housing experience and support
6. Quality, sustainability and design

Priority 2 focuses on social and affordable housing reform.

This chapter recognises the importance that social and affordable housing makes to improving people's life chances at a time when they need it, for as long as they need it and its contribution to supporting mixed sustainable communities and local economies. It highlights key issues including excessively long waiting lists, the need to make best use of social housing and providing tenants with support into work and sets out key actions for future delivery. Our Tenancy Strategy sets out our commitment to deliver these aims at a local level which we can directly influence.

Localism Act 2011

The Localism Act introduces changes to the way in which social housing is provided, allowing local authorities (that own housing stock) and other social landlords to offer homes to tenants on fixed-term tenancies, normally with a minimum length of five years (and between two and five years in exceptional circumstances) with the aim of increasing mobility (for example, supporting people to move for work) and encouraging tenants and landlords to decide what type of housing is suitable at different stages in life.

The legislation requires this Strategy to include the following guidance for RPs:

- a) the kinds of tenancies they grant,
- b) the circumstances in which they will grant a tenancy of a particular kind,
- c) where they grant tenancies for a term, the length of the terms, and
- d) the circumstances in which they can grant a further tenancy on the coming to an end of an existing tenancy.

² "Laying the Foundations: A Housing Strategy for England", (Nov 2011), Communities and Local Government Department (CLG). Available to download at <http://www.communities.gov.uk/publications/housing/housingstrategy2011>

Havering Council's Draft Tenancy Policy in chapter 7 sets out how we propose to provide fixed-term tenancies and other RPs need to have regard to our proposals when developing their policies.

National Affordable Homes Programme

Delivery of new affordable housing and introduction of Affordable Rents

Alongside the Localism Act, the Government has introduced a framework for delivering new affordable housing. The Homes and Communities Agency has agreed a new Affordable Homes Programme to deliver new housing over Comprehensive Spending Review period, ending in 2015. This scheme encourages registered housing providers to apply for affordable housing funding. They have flexibility to charge Affordable Rents, up to 80% of local market levels on both new properties together with a proportion of re-let properties, in an agreement to develop new homes under the programme. The Government is also encouraging landlords to develop more efficient and innovative ways of making the best use of their housing stock.

Affordable Rent

Affordable rents are not included within the Localism Act. However, Havering Council wants to provide information on local people's earning levels together with an assessment of affordability. For this reason, we have included guidance on affordable rent levels for registered providers as part of our Strategy and RPs need to have regard to this guidance when developing their policies.

Equality Act 2010

Councils and Registered Providers need to have regard to the Equality Act 2010³ that came into effect on 5 April 2011. We need to ensure that we consider how different people will be affected by our activities and deliver policies and services that are efficient and effective, accessible to all and that meet different people's needs. In meeting the requirements of the Equality Act, we have taken account of different groups and outline our priorities that Registered Providers must take into account when developing their tenancy policies. An Equality Analysis is being undertaken in relation to this Strategy and the Council expects RPs to carry out their own Equality Analyses in respect of their policies.

Regional context

Revised Draft London Housing Strategy 2011

A Draft Revised London Housing Strategy⁴ was recently out to public consultation. From April 2012, the Mayor will be directly responsible for strategic housing, economic development and regeneration in London. The Draft Strategy reinforces the Mayor's commitment to working with London boroughs to deliver the vision - more affordable housing and housing is of higher quality, enabling improved opportunities for social and economic mobility.

³ The Equality Act 2010 extended statutory equality duties and now includes duties to cover Race, Disability, Gender, Religion and Belief, Sexual Orientation, Age, Gender reassignment, Pregnancy and Maternity, Marriage and Civil Partnerships.

⁴ 'Draft London Housing Strategy 2011', Mayor of London, 2011, www.london.gov.uk/consultation/revised-london-housing-strategy

Havering Council remains committed to working with regional partners and our Draft Tenancy Strategy sets out our commitment to delivering this vision at a local level which we can directly influence.

Sub-regional context

East London Housing Partnership (ELHP) Action Plan

In April, the East London Housing Partnership published the East London Housing Partnership Action Plan 2011-15. It analysed the key housing issues and developed priority issues that will be tackled collectively between the eight East London local authorities: Barking and Dagenham, City of London, Hackney, Havering, Newham, Redbridge, Tower Hamlets and Waltham Forest. The key priorities are:

- Increasing the supply of housing to reduce needs and support economic growth
- Improving the affordability of homes
- Improving the quality and sustainability of homes
- Enabling mobility across the sub-region and other parts of the UK, and between tenures
- Ensuring that East London’s housing offer is inclusive and supports the needs of all

Havering Council continues to play an important role in the sub-regional approach to meeting the housing needs of people living or aspiring to live in East London. Table 1 below summarises the work that has been carried out to date to boost the supply of housing, meet housing needs and to promote mobility across East London boroughs.

Table 1 - Links between the Tenancy Strategy and the ELHP action plan

East London Housing Partnership objectives	Actions	Target	Performance to date
Boost supply and alleviate housing need	Investigate how the partnership can explore scope for shared benefits from Devolved Delivery, New Homes Bonus and new Affordable Rents <ul style="list-style-type: none"> - Share data and experience - Coordinated approach for Affordable Rents 	April 2011	The ELHP commissioned an Affordability Analysis in February 2011 to inform RPs’ Affordable Rents policies. This information is provided in chapter 5. The ELHP has provided an Affordable Rent calculator on the choice based lettings website to help prospective bidders.
	Manage nominations protocol effectively <ul style="list-style-type: none"> - Learn from experience of protocol to date - Improve data monitoring and recording - East London’s contribution to pan-London protocol - Revised the protocol in light of the new Affordable Rent produced by December 2011 	Ongoing	Havering Council has signed up to the pan-London protocol <i>housing moves</i> , providing up to 5% of council housing stock in the borough from May 2012 to support social housing tenants’ ability to move across

			London. The nominations protocol has been produced and circulated to ELHP partners.
	Strengthen and expand joint working on overcrowding and under-occupation <ul style="list-style-type: none"> - Deliver current project on time and to target - Continue to develop new ways of reducing overcrowding and under-occupation - Pursue joint working options with RSLs 	Ongoing	<u>Under-occupation</u> We are reviewing our Allocations Scheme. Our Draft proposals support tenants who want to down size, thereby releasing a larger family size property. <u>Overcrowding</u> Under the Allocation Scheme Review we propose to directly offer a property to households that are statutorily overcrowded into suitable accommodation. <u>Joint working options</u> Havering Council encourages RSLs to develop policies that recognise and support tenants who want to down size in addition to supporting overcrowded families.
Aid and promote mobility	Develop reciprocal agreement for urgent move Build on domestic violence protocol Encompass gang violence, care and support needs, access to work etc.	June 2011	A reciprocal agreement has been adopted by all social landlords in the borough. An agreement has been adopted as part of management transfer processes by social landlords operating in the borough.
	Begin moves towards a common lettings approach <ul style="list-style-type: none"> • Map lettings policies currently in operation • Working group to present options for overcoming significant differences 	April 2011	Given the different housing challenges across the ELHP area, this is not being pursued at present.
	Work towards establishing an East London RSL protocol, in the context of choice based letting scheme. Formalise the relationships between RSLs and local authorities in nominations, allocations, homelessness prevention etc.	April 2012	A feasibility study is expected to be undertaken in 2012.

Local strategic context

Corporate Plan

Havering Council's purpose is as follows:

"We're here to serve local people and make Havering a place where our residents are proud to live"

In 2011, the Council adopted the following vision and corporate aims:

Everything we do is aimed at delivering a **better quality of life for local people.**

The Living Ambition is based on five Goals:

- Goal for the Environment to ensure a clean, safe and green borough
- Goal for Learning to champion education and learning for all
- Goal for Towns & Communities to provide economic, social and cultural opportunities in thriving towns and villages
- Goal for Individuals to value and enhance the lives of our residents
- Goal for Value to deliver high customer satisfaction and a stable Council Tax.

All of the Council's strategies are developed and aligned to achieving these objectives and these values remain a constant at the heart of everything we do:

- We will strive to act as One Council
- We will Learn from our Experiences
- We will act with Integrity at every step of the way
- We will show each other – and our customers – that You Matter
- We will display a Can Do attitude
- We will continue to be Fair To All.

Housing strategy

This Tenancy Strategy will be a sub-strategy of the Council's Housing Strategy and sit alongside related strategies including Homelessness Strategy. These documents are outlined in Appendix 1.

4. Our local context and housing market

As the strategic housing authority, Havering Council has a critical role to play in understanding and shaping housing markets for the future so that housing supply meets needs and demands over both the short and longer term, that we make the best use of all resources and contribute to achieving wider community objectives.

To achieve this, we aim to improve the level of information we keep and maintain a detailed understanding of the drivers that affect local housing markets

Local context

Havering has a key strategic location within London, the Thames Gateway and the South East and is in close proximity to the heart of the 2012 Olympic Games sites. Demand for housing is strong and attracts both older and younger people with dependent children, due to its good transport links into central London and the rest of the country, good public transport, parks and open spaces, schools and health centres.

At the time of the Census 2001, out of a total of 93,792 homes⁵, a high proportion (78.77%) were owner-occupied, 12.41% (10,195) of homes were rented from the Council, 1.78% rented from a housing association, 0.38% in shared ownership, 4.91% privately rented and 1.73% were rented from another source. Although more social housing has been delivered in the borough since 2001, the supply of social housing, compared to those in home ownership is relatively low and so it is important the Council and Registered Providers make the best use of the existing housing stock for local people with priority needs.

Future demand for housing in the borough

In 2001, Havering's population was 224,000. Although the borough's population fell by 3% between 1991 and 2001 it is forecast to grow by 3% by 2021. More significantly, the number of newly forming households is expected to increase by 7.5% over the same period. The Strategic Market Assessment carried out in 2010, indicated that newly forming households may consist of couples with dependent children, increasing the pressure on the supply of existing family-size housing in the borough.

The research indicated that whilst the older population aged 65+ was expected to decrease between 2001-2012, due to the number of new forming households we can expect an increase in the elderly aged 85+ (a 30% increase between 2001-2011).

Focus on Social housing

Social housing stock owned by Havering Council

As at 1 April 2011 the Council owned 10,017 social rented homes. The stock consists of a range of housing types, the highest proportion (58.1%) of which are flats, 37.6% are houses, 3.9% are bungalows and 0.4% are traditional multi-occupied properties. While the Council owns sheltered, it does not own any supported housing or extra-care schemes at present.

Void properties are usually re-let well within 30 days across all housing types with one exception - sheltered housing. There are been difficulties in letting a number of the sheltered properties, due to an over-supply of this type of property. Schemes are being remodelled or improved to ensure we increase the number of homes for those in greatest need.

Social housing stock owned by other social housing providers

There are 21 RPs operating within the borough which own a total of 2,861⁶ social rented units. Of these, 61.1% are flats, 32.4% are houses, 1.85% are maisonettes, 1.71% are sheltered and 2.06% extra-care units. There are low levels of bedsits and bungalows.

Demand for social housing – housing needs information

In November 2011, a total of 10,465 households were on the Council's Housing Register. As social housing is in high demand and priority is given to those in most need of housing, a majority of applicants on the register with a low or no housing need have had no realistic prospect of accessing social housing. As mentioned in the introduction of this Strategy, a review of the Allocations Scheme is being undertaken.

People wanting to downsize in to a home with fewer bedrooms

We believe there is a higher latent demand to downsize which is to some extent constrained by the lack of high quality alternative properties. We are currently seeking to convert our own resources and influence National Affordable Housing Programme (NAHP) resources to

⁵ Source - Census 2001

⁶ Housing Strategy Statistical Appendix (HSSA) 2009/10 data return

deliver attractive smaller properties. We are also seeking to maximise and prioritise downsizing through our Allocation Scheme.

Neighbourhood-specific information

We acknowledge that some of our neighbourhoods have specific needs and will produce local lettings schemes in consultation with registered providers to ensure that new housing units are allocated and sustainable communities are achieved. These development project areas are located in:

- Harold Hill Ambitions Programme, including Hill Dene and Briar Road Estate Renewal
- Rainham Compass, including the Orchard Village area

Tenure-specific information

MOSAIC⁷ data indicate that the group most likely to live in public rented properties are benefit dependent young families and single person households in social housing who often have high levels of debt, low levels of savings and poor health.

While a majority of social housing in the borough (typically Council housing stock) will continue to be let at a social rent, RPs are introducing Affordable Rents for new build homes together with a proportion of re-lets and we look at this in more detail in Chapter 5.

Guidance for Registered Providers

5. Affordable rents

Havering Council recognises that RPs will set Affordable Rents of up to 80% market rent (including service charges) based on the value of individual properties and not the borough average. This means that there may be some variation in rents sets across different parts of the borough. However, we need to establish whether people earning an average salaries in the borough are able to afford up to 80% of the market rental value. The assessment is discussed below.

A study in March 2011 found that in Havering, housing market rent levels are not exceptionally high when compared with other areas in East London. Based on selected postcodes covering Harold Hill, Central Romford and Rainham average private sector markets are, together with Barking and Dagenham, the lowest in East London. Table 2 below sets out in simple terms affordability of 80% market rents to residents across East London on median incomes in that Borough.

⁷ Experian and London Borough of Havering, 2010

Table 2 – an East London study of affordability of 80% market rents for those on median incomes

PERCENTAGE OF GROSS INCOME COMPARED TO 80% MARKET RENTS					
	Gross Household Income	1 Bed 80% Mkt Rent	2 Bed 80% Mkt Rent	3 Bed 80% Mkt Rent	4 Bed 80% Mkt Rent
B&D	£ 23,954	27%	34%	39%	57%
Hackney	£ 26,788	37%	50%	63%	83%
Havering	£ 29,002	21%	28%	33%	42%
Newham	£ 23,265	37%	45%	57%	57%
Redbridge	£ 29,534	23%	31%	35%	46%
LBTH	£ 28,199	41%	55%	69%	77%
Waltham Forest	£ 27,637	25%	33%	38%	50%
ELHP AVERAGE	£ 26,911	30%	40%	48%	59%

Source: Affordable Rent Programme 2011-2015 – an analysis for the East London Partnership Stage 2-Havering, March 2011, POD.

Using a standard definition of affordability, that is, that the occupier should not have to spend more than 33% of their gross income on rent, it can be seen that for Havering residents on average gross household incomes for the borough, 1, 2 and 3 bed units are affordable, whilst 4 bed accommodation is the most affordable in the sub-region.

Even on incomes of £20,000, local residents would not need to spend more than around a third of their income on rent if moving to a 1, 2 or 3 bed property with a rent at 80% of market rents. Ideally, however, 4 bed properties would have rents set at no more than 63% of market rents to ensure that a household earning £20,000 spent no more than a third of their income on rent. That said, given the very limited supply of 4 bed units in Havering borough, the Council will consider 4 bedroom properties let at 80% market rents.

Can larger households earning median incomes afford Affordable Rents?

Although we have incomplete data on the Housing Register, we can see from Table 3 below that for applicants waiting for larger accommodation there is a high proportion of unemployed applicants. We have only recently started to capture income data at application and do not differentiate between earned income and benefits however it is likely that many applicants in employment will also be on lower incomes.

Table 3 – A study of applicants on the Housing Register waiting for larger housing

Status	3 Bed	4 bed
Employed in Borough	30%	25%
Employed out of Borough	13%	10%
Student	3%	2%
Unemployed	54%	64%
retired	1%	0%

The research in this section suggests that considerable numbers of households in Havering could meet the costs of an affordable rent, as opposed to a social rent. It is noted these rents are below the housing benefit cap and, indeed, that access to private renting in the borough is often constrained by access to deposits and rent in advance rather than the rent levels alone. This indicates that new supply from the 2011/12 – 2014/15 National Affordable Housing Programme, along with a number of RSL re-lets at affordable rents, when taken together with the ongoing supply of council and RSL social rent lets, will provide an additional supply of affordable housing options in the borough for those in need.

On this basis:

- Havering Council supports 80% Market Rents for new RP development of 1,2 and 3 bed properties and will consider 80% market rents for 4-bed homes.
- An Affordable Rent calculator has been provided⁸ on the Choice based lettings website for households to use prior to bidding for Affordable Rent properties
- A symbol has been provided on the Choice based lettings magazine and website to help households identify affordable rent properties
- RPs should have regard to the Council's Borough Investment Plan and, in future, Tenancy Strategy when framing development proposals in the Borough

Conversion to Affordable Rents at re-let stage

Havering Council accepts the need for RPs to convert a proportion of existing housing let at social rents to affordable rent at the re-let stage in order to generate funding for more homes. It is vital that homes remain affordable and, importantly, that the supply of larger family homes at social rents is not unduly diminished.

Therefore, the Council's position is that:

- Given the higher number of 1 and 2 bed units in the local housing stock and Affordable Rents for 3 and 4 bed units are more expensive, we expect that RPs will convert more 1 and 2 bed units than 3 and 4 bed units at re-let stage to Affordable Rents (at 80% market rents) but no more than 50% of all re-lets in Havering borough

We will seek to keep individual RPs' conversion rates under review through the choice-based lettings / nominations procedures and one-to-one meetings with RPs.

Limiting Affordable Rents to a maximum of 80% market rental value

It is normal practice for social housing providers to increase rents annually, at a rate of inflation plus 0.5% (RPI plus 0.5%). RPs will need to monitor total Affordable Rent (including service charge) increases to ensure that rents for individual properties do not exceed 80% of their market rental value, and would be particularly important should the private rental market fluctuate in the future.

6. Local lettings plans for larger developments

The Council is supporting new RP build in a number of key regeneration areas most notably in Harold Hill at the current time, but potentially in other parts of the borough over the lifetime of the 2011/12 to 2014/15 affordable housing programme. Therefore, while reviewing our Allocations Scheme, we will make provision for the application of local lettings policies from time-to-time.

Local lettings policies could potentially set criteria around:

- where tenants taking up initial LB Havering nominations are moving from within the borough. This is so as to ensure that local residents see the benefit of significant new development in their area
- the balance of new tenants with different employment statuses.

⁸ in partnership with other East London boroughs

The Council will be open to working with the partners on any local lettings policies that it may wish to apply, although as the strategic housing authority, we see the Council as the final decision-maker regarding such policies.

7. Flexible fixed-term tenancies – guidance for Registered Providers

Havering Council’s Draft Tenancy proposals

The Council owns housing stock in the borough. Our housing management service will apply this fixed-term tenancy strategy, and Registered Providers must also have regard to it in formulating their tenancy policies.

We are committed to making the best use of housing in the borough to meet the needs of those in greatest priority need. In order to meet this objective, the Council needs to support those in priority need in to suitable accommodation and support those who want to downsize. We aim to apply this strategy in a way that is transparent and clear to tenants and staff delivering the Council’s housing management service.

This section outlines our policy proposals in relation to:

- 7.1 The kinds of tenancies we grant
- 7.2 The circumstances in which we will provide a tenancy of a particular kind
- 7.3 Where we grant tenancies for a certain term, the length of the terms, and
- 7.4 The circumstances in which we will and will not grant a further tenancy when it comes to an end of an existing tenancy.

7.1 The kinds of tenancies we grant to Council tenants

Some people will continue to be granted a secure lifetime tenancy however the majority of new tenancies will be granted on a fixed-term basis. This is explained further in the section below.

7.2 The circumstances in which we will provide a tenancy of a particular kind

7.2.1 Secure lifetime tenancies

The following households will be provided with secure lifetime tenancies by Havering Council:

- Tenants who already have a secure lifetime tenancy, where they decide to transfer to another home within the Council’s housing stock
- People who move to properties designated for tenants aged 60+. These are sheltered and extra-care schemes and flats in general needs schemes designated for 60+.

The Council wants to reduce where possible the potential barriers that existing tenants may face when wanting to move to another home. We will endeavour to work with other providers to honour existing tenants’ security of tenure and the length of that tenancy over and above the minimum regulatory duty.

If Havering Council undertakes a large/small scale voluntary transfer of housing stock to another provider, we will ensure that existing secure lifetime tenants’ rights are preserved. If

legislation is unclear on this matter at the time of transfer, we will adopt local policy to ensure existing secure lifetime tenants are provided with an assured tenancy.

7.2.2 Flexible fixed-term tenancies

Please note that when we provide fixed-term tenancies, we expect these will be renewed but tenants will still go through a tenancy review and renewal process every 3 or 5 years in accordance with this policy.

All new tenants will be given an Introductory Tenancy. A fixed-term tenancy will be offered following successful completion of the initial Introductory Tenancy, with the exception of those households in section 7.2.1 above and tenants who have already been granted an Introductory Tenancy.

Before entering into an Introductory Tenancy, the Council will notify the prospective tenant that at the end of this initial tenancy agreement, it will become a fixed-term tenancy and we will set out the length and express terms. The prospective tenant will have up to 21 days from the notification to request a review of the length of the tenancy. If a request is received, the Council will undertake a review and advise the new tenant of its decision in writing.

Sometimes during a tenancy, we seek an alternative to seeking possession of a tenant's home. In these cases, we ask the court to demote a tenancy to a non-secure one for 12 months. This is called a Demoted Tenancy. This will mean that a tenant will not have all the rights of a secure tenant like the Right to Buy. It will also mean that the Council could end your tenancy more easily while your tenancy is 'demoted'. Before a Demoted Tenancy comes to an end, we will write to the tenant to explain that when the tenancy comes to an end, it will transfer to a secure fixed-term tenancy. Our written notice will set out what balance of the tenancy remains. The tenant will be able to request a review.

In cases where a fixed-term tenant(s) wishes to move, we will endeavour to work with other providers to honour the tenant's security of tenure and length of tenure over and above the minimum regulatory duty.

A fixed-term tenancy gives tenants similar rights as those with secure lifetime tenancy agreement. The main difference is the length of the tenancy period. These differences are outlined in table 5 below.

Table 5 shows the similarities and differences between lifetime secure and flexible fixed-term tenancies

	Council housing - Secure lifetime tenancies	Council housing - Flexible fixed-term tenancies
Initial introductory tenancy	Introductory tenancy for 12 months. On successful completion, a lifetime secure tenancy is granted.	Introductory tenancy for 12 months and the tenancy becomes a flexible tenancy at the end of the introductory period. For example, normally it would become a fixed-term tenancy for 5 years, making a total of 6 years.
Length of tenancy	Tenancy is granted for the life of the tenant, that is, until the named tenant, or both named tenants in the case of joint tenants, gives up the tenancy or passes away.	A secure tenancy that is set for a fixed-term. This will normally be for 5 years, or 3 years in certain situations, see 7.3 below.
Succession	One succession of tenancy to a spouse or close relative (including co-habiting	A right to one succession to a spouse or civil partner of the tenant if they lived at

	partner, children, parents, brother, sister and other close relatives) if they lived with the tenant at least one year before their death for all tenancies. The surviving spouse or civil partner needed to have been living with their partner at the time of their death.	the property as their only or principal home at the time of the tenant's death. A person who was living with the tenant as the tenant's wife or husband will be treated as the tenant's spouse. A person who was living with the tenant as if they were civil partners will be treated as the tenant's civil partner. Succession rights relate to the remainder of the fixed-term tenancy (rather than the property).
Assignment	A secure tenancy can be assigned to the person who would have succeeded on death. (This is the current position but may be changed in the future)	The tenancy can be assigned to the person who would have succeeded on death. (This is the current position but may be changed in the future)
Mutual exchange, transfer of tenancy	Secure and assured tenancies If an existing secure (or assured tenant) whose tenancy began before 1 April 2012 wants to exchange with a tenant on a fixed-term tenancy exchanges need to be done by surrender and then new tenancies will be granted. A landlord can refuse an exchange under Schedule 14 of the Localism Act) and has 42 days following receipt of the tenants' requests to make that decision.	Same as opposite but the tenant needs to exchange with a secure tenant.
Rents charged	Let at a social rent. Government applies a cap limit which rents cannot exceed.	Same rights as secure lifetime tenants
Right to buy	Tenants have the right to buy after a qualifying period of 5 years (this qualifying period is only 2 years if your first council tenancy began before 18 January 2005). The qualifying period includes all the time you have been a council tenant at a property not just the current one.	Same rights as secure lifetime tenants
Repair of the property	The Council as landlord deals with repairs within a reasonable timescale and the tenant have a right to compensation (in certain circumstances)	Same rights as secure lifetime tenants
Right to improve the property	Tenants can improve the property with express permission by the Council.	Tenants do not have a statutory right to improve the property and do not have a right to be compensated for improvements made.

7.3 Where we grant tenancies for a certain term, the length of the terms

We will continue to grant an Introductory Tenancy for the first 12 months, which can be extended for further 6 months. On successful completion of this tenancy, a 5-year fixed term tenancy will be granted in order to provide households with some stability and security of

tenure. We will provide clear information to tenants at sign up before entering into the Introductory Tenancy on the terms of the flexible tenancy and other express terms together with details of the review process.

The Council wants to retain stability in its communities. For this reason it expects following review, that unless there has been a change in circumstances most tenancies will be renewed on a 5-year basis, except in the following circumstances:

1. **Breaches in tenancy** - Breaches in tenancy including rent arrears and anti-social behaviour in cases where the tenant(s) has not adhered to an agreement between them and the Council to resolve them e.g. repay outstanding rent arrears. Following review, the tenancy will be renewed on a 3-year basis, with a condition that the tenant(s) works with the Council to resolve the issues. If the tenant does not work proactively with the Council, the usual eviction procedure will be taken forward.

The Council will still retain the right to use other powers, including Demoted tenancy and Family intervention tenancy and at the end of these tenancies they will become a flexible tenancy for a fixed term.

2. **A household in which the youngest child has reached 15 years old** – if the youngest child in the household has reached 15 years, the tenant(s) would be given a 3-year fixed term tenancy. These tenancies will then be reviewed on a 3-yearly basis. These reviews are more regular and this may mean offering a smaller property to the tenant(s) when children have left home and a larger family home is no longer needed.
3. **People with limited leave to remain in the country** – a 3-year fixed-term tenancy will be provided to enable the Council to keep the tenant's eligibility for housing under close review.

7.4 The circumstances in which we will and will not grant a further tenancy when it comes to an end

We will normally award 5-year tenancy agreements which will be renewed every five years.

Flexible fixed-term tenancies will primarily provide a means of regularly checking that the household still requires the size and/or type of property they are occupying rather than whether they require social/affordable housing at all.

We are under a legal duty to review all fixed-term tenancies at least 6 months before the tenancy comes to an end. We will normally start the review 9 months before the tenancy comes to an end.

The review will take account of the tenant and their household's circumstances and a decision will be made to -

- renew the tenancy for the same property
- grant a new flexible tenancy for a different property, or
- not renew the tenancy and provide advice regarding other housing options.

Reasons why we will grant a further tenancy

We **will** grant a further fixed-term tenancy in the following cases:

- The size of the Tenant(s) family and their circumstances remain unchanged
- The size of the household has increased although other circumstances remain unchanged, the household will be able to continue to live at the property or apply to go on the Housing Register if they have not already done so
- Households which contain a disabled person, where the property has been adapted and is still required to meet their needs

Why we will not renew the tenancy for a further period

We **will not** renew the tenancy in the circumstances outlined in table 6 below.

If the Council decides not to renew the fixed-term tenancy, we will set out the reasons for not providing another tenancy at least 6 months before the end of the tenancy term, we will inform the tenant(s) of their right to request a review of this proposal and set out the timescales involved.

Table 6 – Review criteria where tenancies will not be renewed:

Criteria		Explanatory notes
a)	<p>The property is under-occupied</p> <p><i>It is under-occupied by one or more bedroom(s)</i></p> <p><i>Exceptions –</i></p> <p><i>1. This does not include tenant(s) living in extra-care housing, or</i></p> <p><i>2. Any tenant(s) that has downsized under the Council's Allocations Scheme.</i></p> <p>If the occupant(s) has housing need they may be offered a fixed-term tenancy for another property.</p>	<p>Larger family-sized homes are in short supply in Havering, so the Council is keen to use flexible tenancies to provide smaller accommodation as family sizes reduce.</p>
b)	<p>The suitability of the property</p> <p><i>The home has been adapted for someone who no longer lives at the property.</i></p> <p>If the occupants have a housing need, then they may be offered a fixed term tenancy for another property.</p>	<p>Larger ground floor properties in Havering are in demand. A tenancy may not be renewed when it could better suit the needs of another potential occupier in greater need – for example a bungalow being made available for an elderly tenant. Similarly, an adapted house could be made available to someone with care needs.</p>
c)	<p>A change in the tenant(s)' circumstances</p> <p><i>We will assess the tenant(s) income and savings and their ability to afford different housing</i></p>	<p>For example when a tenant(s) has a demonstrably high enough gross income to comfortably afford (for example purchase) market or alternative housing and arguably the affordable house would be better used by somebody in greater need.</p>

	<i>options in the borough.</i>	
d)	Damage to property and unauthorised alterations	Poor property condition and carrying out work to the property without authorisation are breaches of terms in the tenancy agreement.

Exceptionally there may be other circumstances linked to the table above that will need to be taken into account on a case by case basis.

These may include, by way of example:

- The household contains someone with a disability, when moving to another property will not meet their current needs
- When someone in the household is terminally ill
- Where children in the household attend a school and a move would have a significant detrimental impact on the educational development of the children
- When the Council's Adult Social Care or other colleagues believe the tenant is a vulnerable adult
- When the tenant(s) is employed and a move would have a significant impact on their employment.

Advice and assistance should a fixed-term tenancy come to an end

Should we decide not to renew the fixed-term tenancy we can take one of two options:

1. Offer a new fixed term tenancy for another property

Where the tenant(s) continue(s) to have a housing need, the Council will serve a notice indicating that it does not intend to grant a new tenancy of the current property, for which there are rights to request a review, and in parallel a notice offering a new flexible tenancy of a separate property for which it will provide an assisted move. The tenant(s) will be given 6 weeks to bid for other properties and if this is unsuccessful, we will give two alternative suitable offers within the last two months of the tenancy end date. If the tenant(s) declines both offers, the Council can continue to seek possession of the property and the Housing Advice Team will provide advice and support in partnership with other relevant agencies to find alternative accommodation.

2. Provide advice and assistance to find suitable housing

In cases where the applicant(s) no longer has a housing need, our Housing Advice Team will offer advice on intermediate and market-rental options, and assistance to support the tenant and their household to find alternative accommodation, in conjunction with other housing-related services and agencies.

Ending a fixed-term tenancy

The Council as landlord can end the tenancy during the fixed-term

The Council may apply for a court order if grounds for possession can be proved in order to end the tenancy. Grounds for possession are the same as secure lifetime tenancies.

A tenant's right to terminate a flexible fixed-term tenancy

A tenant can bring their fixed-term tenancy to an end by serving a written notice, stating that the tenancy will be terminated on the date specified in their notice and that date must be after the end of 4 weeks beginning with the date on which their notice is served. The Council may agree with the tenant to dispense with this requirement.

The tenancy will come to an end on the date detailed in the tenant's notice, or (as the case may be) determined in accordance with arrangement made with the Council, to dispense with the notice period if on that date there are no rent arrears outstanding under the tenancy and the tenant is not in breach of other terms in their tenancy agreement.

Recovering possession should a flexible fixed term tenancy come to an end

On or after a fixed-term tenancy comes to an end the Council may apply for a court order for possession of the property. The following 3 conditions need to be satisfied for the Council to get a court order.

Condition 1 – that the flexible fixed-tenancy has come to an end and no further secure tenancy (whether or not a flexible tenancy) exists for the time, other than a secure tenancy that is a periodic tenancy.

Condition 2 – that the Council has given the tenant 6 months' or more notice in writing –

- a) stating that the Council does not propose to grant another tenancy when the flexible tenancy comes to an end,
- b) setting out the Council's reasons for not proposing to grant another tenancy, and
- c) informing the tenant of the tenant's right to request a review of the Council's proposal and of the time within which the request must be made.

Condition 3 – that the Council has given the tenant two months' notice or more in writing stating that the Council requires possession of the property.

A notice in respect of Condition 3 may be given before or on the day on which the tenancy comes to an end.

If the Council obtains a court order requiring possession and the tenant refuses to vacate the property, then the possession order will be enforced.

The only statutory grounds for the court to refuse an order for possession of the property is if the tenant has requested a statutory review and the court is satisfied that the correct procedure has not been followed and or reviewed decision 'is otherwise wrong in law'. The court may give directions as to the holding of a review.

In cases where the tenant is not being given another tenancy, we will offer advice and assistance in partnership with relevant service providers to support the tenant to find alternative housing accommodation.

Enforcing the possession order

The Council will normally apply for a warrant of possession if the tenant does not leave the property within 14 days of the date for giving possession. In these cases there is no right to stay or suspend the warrant.

Review of decision to seek possession of the property

A request for a review in writing of the Council's decision that it does not intend to grant another tenancy on the expiry of the flexible tenancy must be made within 21 days beginning with the day on which the Council's notice is served.

If a request is made, then the Council will review its decision and will notify the tenants in writing of the decision following the review, giving reasons for the decision. This review will be carried out before possession proceedings are commenced.

Other ways in which a tenancy can be brought to an end, include:

- If the tenancy ceases to be a secure tenancy, before expiry, for example the property is no longer used as the principal home, a notice to quit could be served.
- Mutual agreement that the tenancy will be surrendered

Review period

We will keep the tenancy strategy under review, and may modify or replace it from time to time. If we need to make a modification to reflect a major change in policy, we will send a copy of the draft strategy or proposed change to the Mayor of London and every RP of social housing in the borough and give them a reasonable time to provide comments, and with other persons as prescribed by the Secretary of State.

Complaints

The Council operates a complaints procedure which customers can use to complain if they are dissatisfied with the level of service. This could include a delay, lack of response or the standard of service they received.

8. Equality and diversity

It is important that the Council and RPs take account of and assess the effects of their policies on people in specific groups. We are carrying out an Equality Analysis alongside the development of this Draft Strategy.

Affordable Rents

In developing this Strategy, we have carried out assessments to determine the affordability of Affordable Rents set at 80% of market rents for local people earning median and on lower incomes. In addition, we do not want to restrict Affordable Rent properties to specific groups and for this reason, have provided an Affordable Rent Calculator on the East London Choice based lettings website so that people can assess whether they can afford the higher rent before bidding for properties.

Draft Tenancy proposals

We will continue to provide lifetime tenancies for people who move into accommodation designated for 60 years+.

The Council expects Registered Providers to continue to grant secure lifetime tenancies to people with severe disabilities or learning difficulties with support needs living in specialist

supported housing or living in general needs housing who receives long-term care and/or support services. However, it is recognised that in some circumstances, offering a lifetime secure tenancy would not be appropriate e.g. for tenant(s) living in move-on accommodation with floating support.

We have included a property suitability assessment as part of our policy so that properties can be provided to those in greatest need, including high priority disabled people who need an adapted property to meet their needs.

9. Governance and monitoring delivery of the Strategy

Havering Council has established links with Registered Providers operating in the borough and they have welcomed dialogue and guidance on delivering the Government's housing reforms under the Localism Act. Following initial consultation, we plan to hold regular forums or provide briefings as appropriate in order to keep RPs up to date on changes in the local housing market.

10. Consultation timetable

Havering Council is consulting stakeholders through a forum, one-to-one meetings and formal consultation mechanisms. Our consultation plan is outlined in table 6 below.

Table 6 – Consultation timetable

Type of consultation	Stakeholders	Date(s)
Event hosted by Havering Council	Registered providers operating in the borough	17 October 2011
Initial consultation	<ul style="list-style-type: none"> - Homes & Communities Agency - Registered providers - East London Housing Partnership - Havering Citizens Advice Bureaux - Adult Social Services 	4 – 25 November 2011
Results of initial consultation	<ul style="list-style-type: none"> - Registered Providers broadly agreed with the Council's Tenancy Strategy initial consultation. - One-to-one meetings have been held to discuss specific enquiries. 	n/a
Formal consultation 1	<ul style="list-style-type: none"> - Homes & Communities Agency - Mayor of London - Registered providers - Residents - Housing Register applicants - Citizens Advice Bureaux - Adult Social Services - Community groups 	Between 23 April and 20 May 2012
Formal consultation 2	<ul style="list-style-type: none"> - Mayor of London (GLA) - Registered Providers - Housing Register applicants 	June-July 2012

11. Related documents and further information

Additional reading:

Laying the Foundations: A Housing Strategy for England, CLG (November 2011)

Managing the impact of housing reforms in your area: Working towards the tenancy strategy, Chartered Institute of Housing (June 2011)

The local authority role in housing markets, Chartered Institute of Housing (April 2011)

Related Housing strategies and policies:

Laying the Foundations: A Housing Strategy for England, CLG (Nov 2011)

Draft Revised London Housing Strategy

East London Housing Partnership Action Plan 2011-15, ELHP (April 2011)

Havering Council Corporate Housing Strategy

Housing sub-strategies and policies

- Homelessness Strategy
- Private Sector Strategy
- Allocations Scheme

12. Glossary of abbreviations and housing terms

ALMO – Arm’s Length Management Organisation – Homes in Havering manages housing stock owned by the Council.

ELHP – East London Housing Partnership

RPs - Registered Providers – these are also known as housing associations or Registered Social Landlords. RPs that have an agreement with the Homes and Communities Agency to deliver new housing under the National Affordable Homes Programme are able to introduce Affordable Rents for new build homes plus conversion of a proportion of existing housing to Affordable Rent at re-let stage.

13. Acknowledgements

We recognise the importance of continued and ongoing partnership working with Registered Providers and other agencies and this will be essential in helping us meet local people’s housing needs and maintaining a buoyant housing market in the future.

We acknowledge national best practice in respect of the Strategy framework developed by St. Edmondsbury Borough Council.

14. Further information

For further information on the Draft Tenancy Strategy, please contact:

Jonathan Geall
Housing Needs and Strategy Manager
Housing and Public Protection
London Borough of Havering
Mercury House
Mercury Gardens
Romford
London

Telephone: 01708 434343

Appendix 1

Related Strategies and policies

When the final Tenancy Strategy has been adopted by the Council, it will be a sub-strategy of the Council's Housing Strategy, and sit alongside other sub-strategies and policies including the Homelessness Strategy and Allocation Scheme. These are outlined below:

Housing Strategy

Havering Council adopted a Housing Strategy for the period 2009-12 in consultation with residents and relevant partners in the borough. The strategy sets out delivery plans to achieve the following four key strategic objectives:

Objective 1 – provide more new affordable housing

Objective 2 – improve existing housing

Objective 3 – regenerate unsustainable / unpopular areas and estates

Objective 4 – provide high quality housing information, advice and support

The Tenancy Strategy will contribute to the achievement of these objectives.

Homelessness Strategy

In October 2008, the Council adopted a Homelessness Strategy over the period 2008-13 and took into account the views and priorities of a wide range of statutory and voluntary organisations and service users. The strategy sets out the council's ambition for delivering the following 5 key action areas:

Homelessness Action Area 1 – homelessness prevention

Objectives:

- Reduce the levels of homelessness as a result of parental evictions
- Improve links with landlords in the private rented sector
- Become prepared for an increase in the number of potential mortgage repossessions
- Establish a programme of homelessness outreach work
- Tackling rent arrears to prevent homelessness

Homelessness Action Area 2 – Support for vulnerable homeless people

Objectives:

- Reducing the levels of homelessness among 16 and 17 year olds
- Meeting the increasing housing demand from young people
- Tackling the need for housing support and accommodation for people with mental health needs
- Increase our knowledge about the need for support among other groups
- Provision of additional move-on accommodation for women fleeing domestic violence

Homelessness Action Area 3 – Temporary accommodation

Objectives:

- Achieve the temporary accommodation reduction target by 2010
- Promote the use of 'qualifying offers' to tenants and landlords
- Tackle worklessness among people living in temporary accommodation
- Improve the conditions of the Council's homelessness hostels

Homelessness Action Area 4 – Customer care

Objectives:

- Continue to provide a recognised high standard of housing advice services and homelessness casework
- Clearer understanding of service provision between us and our partners
- Explore the benefits of introducing specialist housing advice
- Extending housing advice interviews
- Customer consultation

Homelessness Action Area 5 – Strategic partnership working

Objectives:

- Use the Homelessness Strategy Delivery Group to promote the profile and development of services
- Use the East London Housing Partnership, ELHP, to take a strategic partnership approach to preventing and tackling homelessness
- Defining the role of housing associations in preventing and tackling homelessness
- Measuring the impact of homelessness on children
- Establish and maintain better links with the Health Service
- Work cross-borough to support and assist people who are homeless or potentially homeless due to domestic violence

Draft Housing Allocations Scheme

This Council has undertaken a review of its Allocation Scheme and this is due to be approved by the Council on 26 September 2012.

The main changes we are proposing are:

- Introducing a residency criterion
- A financial assessment. If you can afford to rent privately in the borough you will not be accepted on to the housing register
- Reducing the number of bands on the Housing Register
- Reward applicants with priority over others when they contribute to their local community by, for example, working, volunteering, having been in the armed forces, needing to move to foster, or if they are a council or housing association tenant who would release a larger property by moving to one with fewer bedrooms
- Giving council tenants waiting to transfer a better chance of moving
- Making direct offers to people who have an emergency need to move
- No longer accepting people on to the Housing Register just because they are renting privately or living with parents

Consultation event summary

Online surveys reports and related responses are background papers to the Report

Consultation event – 30 April 2012 - Registered providers and community stakeholders Notes from workshops

Housing Allocations scheme

Question1

	i) How do you think your tenants or service users will be affected by the Housing Allocations Scheme proposals? Comments received	ii) What would your tenants or service users want you to ask us to do? Comments received	Our response	Actionable?
1	Public perception of housing need & 2 years residency	Why not consider 18 months if in housing need?	We have discussed the different residency options and reasons with Members. We want to retain 2 years prior residency. Where there are exceptional circumstances and someone needs to move home as a matter of urgency, we would consider a period less than 2 years. These would be considered on a case by case basis.	No
2	Community contribution	What is the definition of disabled?	The definition under the DDA – defines a disabled person as someone who has a physical (including sensory) impairment that has a substantial and long-term adverse effect on his or her ability to carry out normal day to day activities. In terms of verification, we plan to use DLA. Disability Living Allowance (DLA) is a benefit you can get if you need help getting around and/or looking after yourself because you are ill, disabled or terminally ill. You can also claim Disability Living Allowance for an ill or disabled child. DLA has a care and mobility component.	No
3	Consultation / information		Results of the initial consultation with people on the housing register and other stakeholders informed revised proposals. A second round of consultation is carried out and comments will inform the final Scheme.	No
4	Concern regards current tenancies		It is important that existing tenants understand their tenancies will not change when they continue to live in a Havering council owned home	Inform Communications Strategy
5	Demoralize people to be community-minded		The Community Contribution Reward will encourage people to be more community-minded.	No
6	Lack of up keep regards short timestay		The Council wants to maintain stable communities. Key message –	Inform

			tenants will not normally have to move at the end of their fixed-term tenancy.	Communications Strategy
7	Less consistent communities		As above	Inform Communications Strategy
8	Negative impact on self progression/back to work		Disagree – applicants will receive Community Contribution Reward if they work, volunteer, foster or adopt, or have been armed services personnel.	No
9	Impact on adult children / under-occupancy may be less		Acknowledged – it is recognized that some adult children may continue to live with their parents.	No
10	May increase homelessness		Disagree	
11	Resource impact – communicating the changes		Noted. Havering Council wants to take a joined up approach to communicating the changes.	Inform Communications Strategy
12	Transition from area where links have been made – vulnerable adults		If a vulnerable person's housing, care and support needs are being met in another borough, they will be suitably housed. If a vulnerable adult is under-occupying, this will be considered under exceptional circumstances.	This item will be added to the Tenancy Strategy.
13	Process for judgement on specific cases – clear steps		A detailed Scheme is currently being produced.	No
14	Right to buy increase? – less social housing?		Acknowledged. The Government has introduced Right to Buy discounts to encourage social tenants to purchase their property.	No
15	Mutual exchange?		Noted.	The Service is seeking legal advice
16	Transfer list?		Noted – Existing Council housing tenants will retain their security of tenure when they move within the Council housing stock. If tenants with a secure lifetime tenancy decide to move to a home outside the Council's housing stock their security of tenure may be affected.	
17	Downsizing concerns – advertisement/criteria, financial incentives may not be sufficient		Outside of the Allocation Scheme.	No
18	Training of staff to implement new scheme e.g. other professional frontline staff		Noted. The Council is keen to work with other partners to communicate the Scheme.	Inform Communications Strategy
19	Verification of criterias i.e. voluntary work		Noted – applicants will need to provide evidence. Clarify volunteering.	Inform Application form, Detailed Scheme.
20	Positive impact: - realistic expectations - community contribution	Tenants would be happy	Noted.	No

21	Emergency banding definition should include multiple needs	-	There is no requirement to take account of multiple need in housing preference.	No
22	Housing association tenants treated the same as Council tenants	Important to get the message out that all tenants will be treated the same.	To be discussed further by the project team. 22/05/12 – The project team considered this item. It was agreed that HA tenants will be treated the same as council tenants.	Yes No
23	Reciprocal nominations with Housing associations under tenant transfer – how would this work? Only transfer if we get the nomination to the tenant.	-	To be discussed further by the project team 22/05/12 – The project team considered this item. It was agreed that HA tenants will be treated in the same way as council tenants on our Housing Register and the vacancy will be needed in return.	Yes No
24	Fostering – HB does not recognize fostering Think about cost implications and under-occupation	Concern about children's ability to move on given the economic situation.	Foster carers would need to make this decision. Under-occupation – to be discussed further by project team as each foster child has to have their own bedroom (this is outside the Council's policy). 22/05/12 the project team considered this item. It was noted that children who are not from the same blood line do not need to share the same bedroom at the moment. The scheme will align to Housing Benefit policy.	Yes No
25	Disability and community contribution – consider all the household contribution – to include children etc.	Use benefit definition – only need 1 disabled household member	This has been considered. Both applicants would need to have a disability, unless one partner is caring for a disabled child.	No
26	Clear definitions of disability	Consider long-term impacts.	Definition for disability – Disability Discrimination Act. Evidence of DLA or equivalent.	No
27	Volunteering – charities want good quality people, not just those looking for housing. Need strong definitions – there is a risk that pushing people.	Need to think of long-term involvement and too little criteria. What about tenancy involvement groups – they should be involved – you could look at involvement when renewing fixed term tenancies.	Community contribution reward encourages applicants to volunteer and achieves positive outcomes for themselves and others over at least a 12 month period.	No
28	Older people – may want to move within the existing scheme (e.g. from first to ground floor) and may need to compete with someone else in priority need wanting to access the scheme.	The tenant already living in the scheme should be given priority as they -have support and friends locally - have contributed to the immediate community - need support	To be discussed further by project team. 22/05/12 – the project team considered this item. The following was agreed - if the property is needed for an assisted bid (preference will be given to a person already living in the scheme) and this applicant will have priority. If it is not required for an assisted offer, then everyone can bid for the property.	Yes No
29	People in other social housing – understanding the different allocation schemes	Communication will be key to help people recognize balanced need. Do this in partnership with RPs through	Acknowledged	Inform Communications Strategy

		day-to-day correspondence, groups and committees		
30	Consider people living outside the borough who work in Havering e.g. firefighters	If these people cannot be included, communicate clearly with people	Noted.	Inform Communications Strategy
31	Consider people wanting to move into the borough -to care for someone/relative -to be cared for	If these households cannot be included, communicate clearly with people	Noted.	Inform Communications Strategy
32	Young people living at home and in the private rented sector	Communicate clearly that these groups must have a housing need to go on the housing register.	Noted.	Inform Communications Strategy
33	Disability Definitions of different levels of 'disability'	Who defines which 'band' they go in to?	Housing Officers will use criteria to decide which band applicants are placed in to.	No
		What are the criteria?	DLA Carer's Allowance Attendance allowance	No
		Appeals procedure	Noted – appeals procedure to be outlined in Allocations Scheme. 22/05/12 – considered by the project team. Appeals procedure is outlined in the Allocations Scheme. It was agreed that the appeals officer will have regard to related services when making a decision.	Yes No
34	Joint applicants	Do they both have to have a disability to qualify for Community Contribution? What if their child is disabled?	Noted - both applicants would have a disability unless one partner receives benefit to care for a disabled child.	No
35	Elderly people wishing to move another borough to live near to family		Noted. Options are available, including national transfer scheme, Pan-London <i>housingmoves</i> and the seaside and country scheme.	No
36	Fostering/Adoption criteria		Noted - we will consult Havering Social Services.	No
37	Those with drug / alcohol dependency		Noted – this group will be considered by project team and as part of the Equality Analysis. 22/05/12 – considered by the project team. It was noted that if people have a medical need due to drug/alcohol dependency and need to move, this will be taken into account following completion of a medical form etc.	Yes No

Draft Tenancy Strategy**Question 1 - Do you want us to take account of anything else in the Tenancy Strategy?**

	Comments received	Our response	Actionable?
1	Existing social tenants will not be eligible for Affordable Rent – local RP's HA policy.	Noted – the Council's choice based lettings scheme will include different RP policies for reference.	Inform Communications Strategy
2	Resources – additional training	Noted – the Council cannot deliver this Strategy alone. The Service is keen to work with partners to communicate the changes i) reassure existing tenants where applicable and ii) to give clear advice to new applicants and tenants.	Inform Communications Strategy
3	Due regard only to elements defined in the Localism Act – rent levels not in this.	Noted – the Tenancy Strategy provides guidance to RPs. It is not possible to include specific rent levels, this is set following valuation of each individual property.	No
4	Make sure that clear current tenants retain security.	Noted – the Tenancy Strategy states that existing tenants with secure lifetime tenants will not be affected by the changes when they live in Havering council property.	Inform Communications Strategy
5	Over 60s should be offered lifetime tenancies regardless of property type	Disagree. The strategy refers to the property type – sheltered housing and property designated for 60+. One reason - to allow younger people aged 55+ with a support need to access sheltered housing, otherwise this group would be disadvantaged. The Council wants to retain current proposals but will consider this scenario as part of the Equality Analysis.	Yes No
6	3 years when youngest is 18 – why? Move on options are reduced if they are not allowed on register and age of people moving out and Shared Accommodation Rate (SAR) Local Housing Allowance (LHA) changes	Noted – under the Draft Strategy the Council proposes to give a fixed term 3-year tenancy when the youngest child has reached 15 years. The young person will be suitably housed and not require additional services.	No
7	Adapted properties can be hard to let – usually specific to person – consider adding level access / bungalow properties to this definition	Disagree – there is demand for adapted properties and a shortage of suitable homes locally. There are a number of ground floor flats and bungalows designated for people 60+.	No
8	Need appropriate safeguards for vulnerable households	Acknowledged. The impact of the Draft Strategy is being assessed. Safeguards have been put in place to minimize the impact on older and disabled people. In addition, research undertaken last year indicated that setting ARs at up to 80% market rents are below the HB cap. To form part of Equality Analysis. 22/05/12 – considered by the project team. Details will be added under exceptional circumstances in the Tenancy Strategy.	Yes Equality analysis – vulnerable groups No
9	Clear communication on impact for fixed-term for those with disabilities and under-occupation e.g. if they have part-time carer	Noted - Tenants who employ waking carer or part-time carers do not need an extra bedroom.	Inform Communications Strategy
10	Different focus groups	Unclear as to what this comment means.	No

11	Make use of under-occupation – support people into suitable accommodation (good management will be key). Be clear with tenants at the start of a tenancy – possible decisions that may be made a review stage. Provide information at the beginning of the tenancy, during (people are likely to forget what the terms of the policy are at the beginning of the tenancy) and at renewal.	Noted – to be actioned through Communications Strategy	Inform Communications Strategy
12	Under-occupation – the number of people receiving care at home has reduced the ability to deliver policy on under-occupation (liaise with Age Concern).	Noted.	No
13	Sheltered accommodation – make it clear to people what support services need to be paid for.	Noted – support services are highlighted and communicated to tenants as part of the rent and service charge review and setting process.	No
14	Change in circumstances – undertake a full assessment.	Noted – chapter 7 of the Tenancy Strategy states that circumstances will be reviewed at least 6 months before the tenancy comes to an end.	No
15	Stock mapping – include those moving within the same ward area – are the right types of properties available? (Particularly in relation to those wanting to downsize within the same area).	Acknowledged – this project is currently being taken forward. 22/05/12 – considered by the project team. Stock mapping is being progressed and will provide a useful tool in identifying the number of different size properties in any area. This information will be used to support people to downsize to another property in their local area where possible.	Yes No
16	Communicate the key messages.	Noted.	Inform Communications Strategy
17	Clarity over who is affected by the changes – deal with negative assumptions regarding eviction after review / established tenancies being converted.	Noted - need to reinforce that unless there has been a change in circumstances, tenants will not normally have to move at the end of their fixed term tenancy.	Inform Communications Strategy
18	As long as the appeals/reviews procedures are stringent, 5 years seems good and policy appears sound.	Noted.	No

Draft Tenancy Strategy - Question 2

	i) How do you think your tenants or service users will be affected by the Housing Allocations Scheme proposals?	ii) What would your tenants or service users want you to ask us to do?	Our response	Actionable?
1	More information required by applicants could lead to larger housing teams.	Link on website direct to RPs' policies – on fixed term tenancies.	Noted – project team will provide links to RPs' policies via ELLC Choice homes (choice based lettings scheme)	Inform Communications Strategy Consider how people without use of the internet will access different policies.
2	Different tenancies provided by individual RPs – difficult to manage		Noted – transparency and access to is important.	Inform Communications Strategy
3	More transparent / no jargon	(HiH) Use examples of cases (HiH) Outreach work – mobile events	Unclear which part of the Draft Strategy this comment relates to. Staff training will involve examples and used in explaining the Strategy to customers.	Inform Communication Strategy
4	A RP shared their experience – people were reasonably happy with the introduction of 5 year fixed-term tenancies.		Noted.	No
5	Older people – will need advocacy and support. It was suggested that emerging housing options are discussed with older people e.g. as extra-care and other housing options are developed in the borough.		Noted– the Council is investing in and working with RPs to deliver its Extra-care Housing strategy. It is important that customers are aware of other housing options.	Yes Inform Communications Strategy
6	Perception that 5 years fixed term tenancies will lead to an automatic move after 5 years	Needs to be managed.	Noted – will ensure that tenants understand that their tenancy will normally be renewed.	Inform Communication Strategy
7	3 years fixed term tenancies with regards to a child aged 15 or over – if the child is still living there after 3 years, what term will be the next tenancy be?		Noted – the tenancy will be renewed on a 3 year fixed-term.	No
8	Succession rights. What happens to the tenancy after a succession?		Tenants on a fixed-term tenancy – succession to spouse or civil partner. They will keep the same tenancy.	No

Draft Tenancy Strategy - Question 3

	i) What do you think are the main issues and challenges that may arise in Registered Providers' different tenancy policies?	ii) How do you think we can manage these issues and challenges?	Our response	Actionable?
1	Different expectations – different tenures		Noted – RPs' policies will be made available through the Council's website and ELLC Choice homes choice based lettings scheme website.	Inform Communications Strategy
2	Cross boundaries Registered Providers (RPs) – trying to work with as many councils and have a consistent company policy	Consistency in policies – regarding who gets renewed, who gets properties. Need a corporate approach – need a corporate approach but with council.	Noted – Havering Council acknowledges that RPs operate across different local authority areas. RPs do need to have regard to Havering Council's Tenancy Strategy. The Service is working with RPs to discuss the number of properties that will be let at Affordable Rents through new development and conversion at re-let stage.	Ongoing
3	Confusing for customers	Though there are currently differences between Council and RP.	Noted – details of different RPs' policies will be made available via website links.	As above
		Checklists for allocation officers to go through to explain their tenancy type.	Noted	To be taken forward by Lettings team.
		Have a feel to see if property let at Affordable or target. Not advertise 2 prices and determine on who bids i.e. tenant or new person. Controlled and helps you to meet targets.	This is not done - properties are advertised at either an Affordable Rent or Social Rent. A specific symbol is used by ELLC Choice Homes Scheme to highlight that a property will be rented at the higher Affordable Rent.	No
		Balance customers' needs as well as anticipated influx of tenants downsizing.	Acknowledged.	No
4	A Registered Provider confirmed that the Affordable Rents in LB Havering's Tenancy Strategy are similar to those in their tenancy policy.		Noted.	No
5	Some RPs will retain social rent for families.		Acknowledged.	No
6	The differences around rent costs between RPs and		Noted – correct advertising is key.	Inform Communications

	Council as well as tenancy terms.		The choice based letting scheme highlights properties that are let at an Affordable Rent.	Strategy
7	Real difficulties around communication and negotiations on changes to tenancy strategies.		Noted - the Service is keen to work with RPs to identify and proactively manage risks.	Yes
8	How do you align the different tenancy types between RSLs and the Council?		Noted – RPs need to have regard to Havering’s Tenancy Strategy.	Yes – regular meetings with RPs
9	Should raise age for secure tenancies to 70/65 to rise in line with regards to retirement age?	Carry out an assessment (of needs to make sure their move is their last?)	Noted – the policy relates to accessing the type of property as opposed to the age of the person.	No

Draft Tenancy Strategy - Question 4

What do you think are the best ways to communicate the changes to your tenants and service users, and other people who need to move in to social and affordable housing?

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Comments and suggestions received	Comments / Actions
<ul style="list-style-type: none"> • Outreach / mobile / literature, use examples • Door knocking • 2013 tenancies • 55+supported housing • Current tenants • Benefits calculation / debt resistance • Resident conference – 2012 on housing changes • Communicate clearly that there will be a reduction in the number of applicants on the housing register. • Work with partners • Media releases • Residents groups • Engage existing tenants to ensure information is user-friendly. <p>Additional item – A risk of an imbalance in housing – the number of people on the housing register with the number of properties available to re-let. Property mapping needed.</p>	<p>The comments in the left hand column will inform the Communications Strategy.</p>

Public consultation sessions – 3 May 2012 (1.30pm and 5.30pm Hornchurch Library)

	Q1.What do you think of the reasons for changing the Allocations Scheme?	Our response	Actionable?
1	<ul style="list-style-type: none"> - Pretty good - Something has to be done - Positive – rewarding community contribution encourages people - 2 years prior residency is good - Very good, now that it has been explained 	Noted.	No
2	<p>Concerns:</p> <ul style="list-style-type: none"> i) some were unsure about the Community Contribution Reward –Volunteering - as there was a concern that older people cannot always volunteer. However, it was recognized that some older people do volunteer in charity shops etc. ii) Review the volunteering aspect of the Community Contribution Reward iii) Will older people be disadvantaged iii) Older people – very unfair on us 	<p>Noted.</p> <ul style="list-style-type: none"> i) Those who volunteer in charity shops in the borough would be eligible to apply for the Community Contribution Reward. ii) To be discussed further by the project team. iii) As most people with be in Homeseeker Band, older people are unlikely to be disadvantaged as opposed to other groups. iv) LB Havering does not have a problem letting sheltered housing or other homes designated for people 60+ and so older people are not likely to be disadvantaged. 	<p>Yes</p> <p>(ii) Review volunteering aspect (for older people). An amendment has been made to the Housing Allocations Scheme under Community Contribution Reward, as follows: The sole or one of the joint applicants is aged 70 years+ and is currently volunteering in Havering for a minimum of 5 hours a month for a not-for-profit organisation or group/organisation recognised by Havering Council and has been doing so for last 12 months.</p>
3	<p>Other comments:</p> <ul style="list-style-type: none"> i) LB Havering needs to include photographs of all properties it advertises in the Choice Homes magazine and on the website. ii) Sometimes older people need a spare room so that a relative etc. can care for them at home. iii) Removal of wardens at sheltered housing schemes has been detrimental iv) Have heard that councils give housing to people from overseas v) Will the rules still apply to Tenant Management Organisations (TMOs)? 	<ul style="list-style-type: none"> i) Noted – to be actioned ii) Noted. iii) Noted – an review of warden supported housing was undertaken. Following the review and consultation, the service was replaced with Mobile Support services. iv) Councils do not provide housing to new arrivals from overseas and allocate housing within legislative requirements. Housing for refugees is provided by the Government under a separate scheme. v) Allocations will be adhered to by 	<p>Yes</p> <p>i) to be actioned by Lettings Team</p>

		TMOs that work on behalf of the Council.	
	Q2 What are your views on the draft Tenancy Strategy?		
1	<ul style="list-style-type: none"> - Something has to be done - 5 years tenancy is a good idea – and renewed unless the situation has changed - Makes sense - It's fair 	Noted.	No
2	<p>Concerns:</p> <p>If tenants think they will only have a 5 years tenancy, they may feel more transient. Secure lifetime tenants invested in their properties – concern whether those with fixed-term tenancies do the same.</p>	Noted – tenants will not normally have to move at the end of their fixed term tenancy.	Inform Communication Strategy
3	<p>Other comments:</p> <p>i) Will people be given a fixed term tenancy straightaway?</p> <p>ii) Have Succession rights changed?</p>	<p>i) People will be given an Introductory Tenancy when they first move in. Once successfully completed, a fixed term tenancy will be provided.</p> <p>ii) Succession rights have tightened – Havering Council tenants with a fixed-term tenancy will have right to one succession, to either a spouse or civil partner.</p>	No

Notes from follow up meeting on 14 May 2012 - with Registered Providers and Stakeholder groups

	Questions and comments raised at the meeting	Our response	Actionable?
Housing Allocations Scheme proposals			
1	Residency criteria How will people with learning disabilities placed and living outside Havering borough be treated under the criteria.	Noted - Havering Council has an enduring duty to support these people and they will be treated as LB Havering Council tenants.	No
2	Residency criteria How will disabled owner occupiers be treated if they are being treated in hospital?	Noted - If their home has become unsuitable and cannot be adapted to meet their needs, they will have an urgent need to move under the scheme. This is part of the Housing Allocations Scheme.	No
3	Housing Allocations Scheme – residency criteria Owner occupiers may want to move into extra-care housing. It was recommended that the Council introduces a local lettings policy for extra-care housing schemes.	Noted – a local lettings policy will be developed and a separate list maintained for people wanting to move into extra-care homes.	Yes

4	People aged 55+ can apply for sheltered housing whether or not they have a support need at the moment. These people do not always realize that they need to pay for a mobile support service charge.	Noted – a breakdown of service charges is given at the start of the tenancy and every year thereafter. The Service will ensure that this is clarified with people at the start of their tenancy.	Yes – to be actioned by Housing Management team
5	Equality analysis Rough sleepers, migrants and Eastern European residents These people may not be able to provide documents to demonstrate that they have lived in the borough for the last 2 years. Rough sleepers may have had their identification documents stolen. GPs have been issued guidance on identification documentation.	Noted – a copy of the guidance will be forwarded to the council.	Yes
6	Asylum seekers There was concern that this group will not be supported.	Noted – asylum seekers are not eligible for secure tenancy.	No
7	Men/women fleeing domestic violence	Noted – people fleeing domestic violence access housing through services, e.g. Women's aid.	No
8	Romanian and Bulgarians The 7 year rule restrictions are due to be lifted – need to communicate details of the allocations scheme.	Noted	Inform Communications Strategy
9	Faith groups and community volunteering Will people who volunteer through local faith groups be eligible for the Community Contribution Reward.	Noted – People who volunteer for a group recognized by Havco, that includes faith and community groups, and LB Havering will be eligible to apply for CCR. Evidence will needed to be provided as part of the application.	No
Draft Tenancy Strategy			
5	Fixed term tenancies There was concern that moving from secure lifetime tenancies to fixed term tenancies may mean that people will not look after their property.	Noted – this has been considered. A tenancy will not be renewed if there is substantial disrepair and damage to the property. Tenants will need to keep their property in good condition.	No
6	Fixed-term tenancies – introduction of 3-year tenancies when the youngest child reaches 15 years of age There was concern that this age was fairly young, as people are staying with their parents into adulthood.	Acknowledged – a 3 year tenancy means that circumstances can be reviewed more frequently. If the young person chooses to move out, the tenants could be under occupying and can downsize. The Council will try to keep people in the same area if they need to move to another property.	No
7	Scenario – what happens if 3 generations occupy a home? Those occupying would be parent(s), their child and their grandchild.	Noted – reviews will be based on the original family, i.e. the parent(s) and their child.	Yes – the definition of household will be included in the Tenancy Strategy.
8	Scenario – a tenant uses a spare room at their home when their grandchildren	Noted – the grandchildren are not part	No

stay over – they want a spare room for this reason.	of the household.	
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Comment received following consultation workshops in April - May

	Comments raised	Our response	Actionable?
	Individual response made on behalf of a residents association Housing Allocations Scheme The new Scheme should only apply to new applicants.	Noted – the highest priority applicants will have a protected period of time within which they can bid for housing under the new Scheme when it is implemented.	No

Consultation with Havering Association for People with Disabilities (HAD) - 7 June 2012

HAD members were briefed on the key headline proposals – Draft Tenancy Strategy and Housing Allocations Scheme

	Questions and comments raised at the meeting	Our response	Actionable?
Page 123 1	Draft Tenancy Strategy Disabled people	The Council expects Registered Providers of social housing to continue to give secure lifetime tenancies to people with severe disabilities or learning difficulties with support needs living in specialist supported housing or living in general needs housing who receives long-term care and/or support services. We recognize that in some circumstances, offering a lifetime secure tenancy would not be appropriate e.g. for tenants living in move-on accommodation with floating support.	No
2	Housing Allocations Scheme Disabled people – how will housing be allocated?	If an applicant has lived in the borough for the last 2 years and has a housing need they will be eligible for the Homeseeker band. An example, if a single disabled applicant is unable to work or volunteer and is receiving DLA they can apply for Community contribution reward and this will give them priority over those in the Homeseeker band.	No
3	General Is the Council going to build any more homes?	Havering Council works with Registered Providers of social housing to develop new affordable housing in the borough. It does not have any current plans to develop new council owned stock.	No

Homes in Havering's Housing Services Operational Team Meeting – 20 June 2012

	Comments raised	Our response	Actionable?
1	The downsizing incentive payment was considered to be low	The levels of payment are not directly linked to the	No

		Allocations Scheme or Tenancy Strategy; they can be varied from time-to-time	
2	What access will the Council have to obtain residents' financial information?	A form will be sent to residents and the Government is currently looking at what financial information Local Authorities are permitted to access	No
3	What if a tenant refused to move at the end of a fixed term tenancy?	A Court Order would be required	No
4	The term 'exceptional circumstances' regarding what other factors will be taken into account when deciding whether or not to renew a fixed term at the existing property needs clarification	This will be considered	Add a reference to proximity of place of employment
5	Further discussion is needed around ASB issues	The wording in the Allocations Scheme will be reviewed	Wording clarified
6	Concern re: resourcing and IT issues around reviewing tenancies	Noted	Resourcing issues to be kept under review on an annual basis

HiH Customer care steering group – 10 July 2012

	Questions and comments raised at the meeting	Our response	Actionable?
1	Affordable rents A comment was made that the research did not give a true picture of earnings as it compared gross income and not net and that private rents in Havering have not been capped.	The research company used a standard approach to assess affordability based on median gross incomes earned in the borough.	No
2	Members of the group were concerned about how the proposed fixed-term tenancies will affect elderly people.	Existing Havering council tenants will not be affected when they transfer to another home in the council's housing stock. New tenants who move into housing designated for people aged over 60 years will receive a secure lifetime tenancy.	No
3	Concern was raised regarding what would happen if a fixed-term tenancy comes to an end and the tenants refuse to leave.	The Council's housing service will work closely with tenants throughout their fixed-term tenancy. In most cases, it is expected that tenancies will be renewed. In some cases when there has been a change in circumstances, the service may decide to not to renew the tenancy for a further period. In these cases, should a tenant not want to move out of the property, the council can take a number of options including seeking repossession of the property. The decision will be dependent on the change in tenant(s)' circumstances.	No
4	There was concern that it would be unfair to give a household with a youngest child of 15 years a 3 year fixed-term tenancy.	It is proposed that the 3 year fixed term tenancy will be normally renewed for another 3 years, unless there had been a change in circumstances	No
5	Downsizing – a member of the group enquired whether people who are downsize to another property when their tenancy comes to an end will have a choice in where they move to.	This will depend on the availability of housing in the stock.	No
6	University students – a query was raised about how students will be assessed.	Students deemed to be staying away from home in order	No

		to study in higher education during term-time will not affect the household's circumstances.	
7	The group asked whether foreign students will be given fixed-term tenancies.	Foreign students will not be given fixed-term tenancies.	No
8	Members of the group enquired how many asylum seekers are allocated housing in the borough.	It is unlawful to allocate council housing to asylum seekers. Havering Council has not allocated properties under the National Asylum Seekers Scheme (NASS).	No
9	Succession rights – what happens to the remaining occupant if the main tenant dies?	If a couple has a tenancy agreement and one partner dies, the surviving partner will be able to succeed a secure tenancy. Under current legislation there can only be one succession to a secure tenancy.	No
10	There was concern that the new policy will be more intrusive as personal details will be checked.	The council will need to work more closely with tenants under the new policy, particularly at the time a tenancy is reviewed.	No
11	Group members enquired what level of earnings a tenant would need to earn before having to move from council housing.	A tenant(s)' income and savings will be reviewed and a decision made based on the range of housing options available at the time of review.	No
12	A comment was made that there was nothing wrong with the policy proposals.	Noted.	No

Other comments received following consultation on Draft Tenancy Strategy – July 2012

	Questions and comments raised	Our response	Actionable?
1	6 June 2012 - Neighbourhood steering group Members of the group received details on the Draft Tenancy policy proposals. No comments were made.	Noted.	No
2	17 July – Umbrella Sheltered Housing Group (SHOUT) Members of the group received details on the Housing Allocations Scheme and Tenancy Strategy proposals. Housing Allocations Scheme - SHOUT members were keen on the proposal to prioritise those in sheltered schemes with a need to move downstairs (after those with an emergency need). No other comments were made.	Noted.	Yes The Housing Allocations Scheme has been amended. If a void property in a sheltered housing scheme is not needed for someone with an Emergency need, it will be offered to someone who already lives at the scheme if they have a housing need to move.
3	Response from Mayor of London, Greater London Authority, 19 July The GLA is satisfied that the proposals in the draft tenancy strategy would give registered providers the flexibility they need in order to meet their contractual commitments. The borough could seek to give some additional priority to people who make an active and positive contribution to their community e.g. through employment or	Noted. Noted.	No Yes. An additional reference has been

	<p>volunteering and who may also face barriers to accessing suitable housing in other tenures. It might be appropriate to take this in account when determining where a tenancy is renewed or not, as well as the factors already set out in the draft strategy.</p> <p><i>Taking account of a household's income at fixed-term tenancy review</i> We anticipate that this will need to be kept under constant review so that the income threshold takes account of the relative affordability of the housing options in Havering, particularly the Mayor's FIRST STEPS programme. It would also have been useful to know what the income and savings thresholds are.</p> <p>Borough councils should ensure that those who clearly need longer term tenancies are not made to feel anxious about whether a tenancy will be renewed or not. Steps need to be taken to reassure households whose tenancies are likely to be renewed but who must still go through a tenancy renewal process every five years.</p> <p>The Council's commitment to reducing the levels of under occupation in the social rented sector This commitment is welcomed and shared by the Mayor.</p> <p>Enhancing mobility While the legislative and regulatory framework governing tenant mobility is fixed, the Mayor would be supportive of additional measures, set out in a tenancy strategy that seek to reduce as far as possible the potential barriers facing existing tenants who may need or want to move to a different home.</p>	<p>Noted. This point has been considered. Housing options will change over time and will be kept under review and income and savings thresholds set accordingly.</p> <p>Noted. The Council expects that fixed-term tenancies will normally be renewed.</p> <p>Noted.</p> <p>Noted. The Council will work with and encourage RPs to honour existing secure lifetime tenancies.</p>	<p>included under exceptional circumstances.</p> <p>No</p> <p>Yes. The Strategy has been amended to reinforce that fixed-term tenancies will normally be renewed.</p> <p>No</p> <p>Yes. An amendment has been made to section 7.2.1 of the strategy.</p>
<p>4</p>	<p>E-mail from local Solicitors office, 3 August (Summary of issues)</p> <p>There were grave concerns that removing the stability of long-term secure tenancies will not be conducive to creating settled communities: children's schooling may be disrupted; long-term employment may be prevented; families may be spilt up.</p> <p>Rights of current secure lifetime tenants What is the position regarding tenancies where there has been a mutual exchange, stock transfer, nomination, out of borough transfer or transfer to a registered provider?</p>	<p>Noted. The Council expects that fixed-term tenancies will normally be renewed, unless there has been a change in circumstances. Exceptional circumstances will also be taken into account as part of each review.</p> <p>Noted. This will be considered.</p>	<p>No</p> <p>Yes. The council will work with RPs to protect lifetime tenants. Chapter 7 of the strategy has been amended.</p>

	<p>Succession / assignment rights. The provision for close relatives to succeed to, or be assigned a tenancy, has been removed.</p> <p>Clarification is needed as to whether a total tenancy following an extended Introductory Tenancy will 6.5 years (1.5 years introductory and 5 years secure fixed-term tenancy).</p> <p>Procedures in relation to:</p> <ul style="list-style-type: none"> - Reasons why the secure fixed-term tenancy would not be renewed for a 5 year period - Circumstances in which a tenancy will not be renewed 	<p>Noted. Localism Act 2011. There will be one succession to a spouse or civil partner of the tenant.</p> <p>This is correct.</p> <p>Noted. The strategy sets out the Council's strategic commitment in relation to fixed-term tenancies.</p>	<p>No</p> <p>No</p> <p>Yes. Procedures relating to fixed-term tenancies to be developed.</p>
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LONDON BOROUGH OF HAVERING EQUALITY ANALYSIS

PROPOSED ACTIVITY:

Cabinet Report (26 September 2012) – Draft Housing Allocations Scheme

SCOPE OF PROPOSAL

1. What is the scope and intended outcomes of the activity being assessed; in terms of both the Council's organisation and staffing, and services to the community?

This Equality Analysis concerns the review and development of Havering Council's Housing Allocations Scheme. The Scheme will be different from previous schemes following changes introduced under the Government's Housing Strategy 2011 and the Localism Act 2011. New provisions remove the requirement for councils to keep 'open' housing waiting lists. We have also taken account of CLG Draft Guidance on Housing Allocations, and two Draft Statutory Instruments that remove the residency criteria for people leaving or who have left the armed forces within 5 years of application and give additional priority to ex-armed forces personnel who have an emergency need for housing.

It is proposed that the new Housing Allocations Scheme will come into effect from 1st April 2013 and will affect existing applicants on the Housing Register as well as new applicants.

Current allocations scheme

The current scheme consists of 5 bands – A to E, with Band A reserved for people needing to move in urgent circumstances. As at 31 March 2012, there were 11,212 households on the Housing Register. In the last financial year, the Council advertised 901 properties, so the number of households far outweighs the number of properties that become available to let. In addition, some households have been on the Housing Register for many years, with no reasonable expectation of being re-housed.

Proposed Scheme

The Council has reviewed its current allocations scheme and in consultation with wide ranging stakeholders has developed a scheme with the aim of being simpler, supporting local people in most need of housing and rewarding those who contribute to their local community.

The main changes we are proposing intend to deliver the following outcomes:

Intended outcome	Policy criteria
To provide housing to those in housing need who live in the borough (with the exception of ex-armed forces personnel)	Those with 2 years' prior residency and a housing need will be eligible to join the Housing Register (and initially be placed in the Homeseeker Band). In exceptional circumstances we will consider a shorter residency period if someone has an emergency need to move and their home is unsuitable.
To reward people who contribute to their community with a higher priority for housing	Community contribution reward for those in Homeseeker Band who work, volunteer, need to move to foster or adopt, or downsize to a smaller property

To support people with an emergency need to move	Provision of assisted offers as well as choice based lettings bids (dependent on individual circumstances) for people with an urgent need to move, for example, people fleeing domestic violence, and disabled people who need to move urgently when their home is unsuitable.
To support existing council tenants to transfer more easily than currently when they want to	Existing council tenants and private sector lease tenants will be eligible to apply to join the Housing Register after 5 years of holding a Havering Council or PSL tenancy
Unsuitable tenants	People will not be eligible if they are unsuitable tenants, for example, they have housing-related debts, have been responsible for anti-social behaviour, or breaches in tenancy agreement
Financial income	An assessment of income will form part of the application to see if applicants have the means to afford to rent privately

1 (a) Organisation and Staffing

No additional staff will be required to manage the Housing Allocations Scheme once it becomes effective. However, it should be noted that a six months transitions phase between Cabinet approval and the effective date is required to enable staff to review existing applications in line with the new Scheme. This does mean that any emerging priorities during this phase will need to be carefully managed so that they do not negatively impact on the project and staff time. Should this identified risk become a reality, a review of staffing levels would need to be undertaken.

1 (b) Services to the Community

The housing allocations scheme has been reviewed in light of the Localism Act 2011. The National Housing Strategy and Act remove the need for councils to provide 'open' housing waiting lists. It empowers the Council to use local priorities to decide who is eligible to join the housing register and help existing Council tenants to move so long as those with a 'reasonable preference' for housing under the Housing Act 1996 and ancillary guidance continue to receive this preference. Havering Council's review of the housing allocations scheme aims to create a system for allocating properties that is easy to understand and affords priority between those with a reasonable preference for housing based upon locally defined priorities. The new Scheme will give those wishing to join the Council's Housing Register a realistic view of whether and when they could be allocated social or affordable housing. This in turn will enable those approaching the Council to make informed decisions about their housing and, in turn, is likely to reduce the waiting time for those in the most housing need.

PEOPLE AFFECTED

2. Which individuals and groups are likely to be affected by the activity?

2 (a) Staff Individuals and Groups

Staff

London Borough of Havering:

- Housing Options Service - Housing Needs & Service Development Team, Housing Advice Team
- Adult Social Care Services – Occupational Therapy, Strategic Commissioning, Leaving Care Team
- Tenancy Management Officers (currently employed by Homes in Havering, but likely to have TUPE transferred to the Council by the implementation date of the revised Scheme)
- Resident Involvement Team (currently employed by Homes in Havering, but likely to have TUPE transferred to the Council by the implementation date of the revised Scheme)

It is expected that the Housing Allocations Scheme will continue to be managed and delivered by existing staff in the Housing Needs & Service Development Team

2 (b) Community Individuals and Groups *(including voluntary organisations)*

The Council's Housing Allocations Scheme will affect both new and existing applicants on the Housing Register for social and affordable housing in Havering Borough and will impact on people across all protected characteristics.

There are criteria in the Scheme that are specifically aimed at supporting:

- low income households that have a housing need with priority to those who contribute to their community
- homeless people
- vulnerable people who have an emergency need to move
- older people, particularly those wanting to downsize to a smaller home
- young people, especially those leaving care
- people with physical disabilities or long-term health conditions
- pregnant and nursing mothers
- people with caring responsibilities for a disabled child or close relative.

DATA AND INFORMATION

3. What data/information do you have about the people with 'protected characteristics' (*age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sexual orientation*) or **other socio-economic disadvantage** (*e.g. disabled and part-time workers, low income households, looked-after children, vulnerable adults*) among these individuals and groups? What information do you have about how they will be affected by the activity? Will you be seeking further information in order to assess the equalities impact of the activity? How is this information being used to influence decisions on the activity?

3 (a) Staff

Delivery of the Housing Allocations Scheme from 1 April 2013 will directly replace the current allocations scheme and will have little or no effect on the Council's or current Homes in Havering's (HiH) staffing level.

3 (b) Community

The Housing Allocations Scheme will affect existing Housing Register applicants and those applying for social or affordable housing in the future. Interrogation of the Housing Register provides us with some information about those who are currently registered with the Council for social or affordable housing in the borough. We have also used Census 2001 and Office of National Statistics data to inform this assessment.

Age

Older people

Havering Council has the highest proportion of older people of any London Borough. Out of 10,955 council tenants for which information is available, 1,347 (12.35) of them are aged 65 - 74 years and 1,077 (9.8%) are aged 75 - 84 years.

Housing Register data (as at 21 August 2012) indicated that out of 11,688 applicants, 644 were aged 55-64 years, 400 were aged 65-74 years, 226 were aged 75-84 and 119 were aged 84+ years. Of these, 835 applicants currently in bands D and E (with low or no housing need) are more likely to be affected by the proposed scheme.

Under the proposed Housing Allocations Scheme, under-occupying Havering Council tenants (and in most cases under-occupying housing association tenants in the borough), who are likely to be older residents, will be given priority (under the Community Contribution Reward) if they want to move to a smaller home. The Council owns some well laid out sheltered housing, but we recognise that some bedsit flats have not been fit for purpose and we are implementing a refurbishment plan to ensure schemes meet older people's future housing needs.

The older population (men aged 65+ and women aged 60+) is estimated to grow by 3.9% by 2016 and by 15.4% by 2026. This means there will be 1,800 more older residents by 2016 (increasing from 45,300 in 2011 to 47,100 in 2016).

Older people with a housing need will be positively affected by the proposed Scheme. Older people who have a housing need and meet the criteria will be placed in Homeseeker Band. If they have worked or volunteered for the past 12 months, they may be eligible for Community Contribution Rewards (refer to Table 1 in the Scheme) which will give them priority for housing over those in Homeseeker Band. We acknowledge that those applicants aged 70 years and above may not be able to volunteer for 10 hours per month, so in order to apply for Community Contribution Reward this group would need to volunteer for at least 5 hours a month.

We also know that 15% (7,445) of older people in the borough are claiming Attendance Allowance, 51% (3,830) of whom receive the higher rate award. Under the proposed scheme, should an older sole applicant or both joint applicant be unable to volunteer due to a disability or are very frail, they will be eligible for Community Contribution Rewards under the disability criterion. Similarly, older people who are full time carers for a partner or relative will be eligible under the disability criterion of the Community Contribution Reward. Please refer to section 2.1.1 and Table 1 in the draft Scheme.

People of working age (16 - 65 years)

People in employment

74% (112,400) people in Havering borough are economically active people of working age and 70% (105,300) are employed.

People of working age will be affected by the proposed Scheme and the impact will depend on their circumstances. For example,

- a low income household with housing need living with parents or in the private rented sector will be eligible under the Scheme just as at present so long as their earnings/savings do not render them able to remedy their housing need in the private sector)
- a low income household that is adequately housed (that is, they have no housing need) will no longer be eligible under the Scheme. If they are on the Register at 1 April 2013, they will be removed (unless there are protected by the Council's proposed transitional arrangements). All such households whether on the Register or not on 1 April 2013 will however, continue to have access to housing advice and other support under the Housing Act 1996, as amended by subsequent legislation, should they experience or be threatened with homelessness
- a low income household who have a housing need and work, volunteer, want to foster/adopt or are disabled, will be eligible to apply for the Community Contribution Reward (CCR) and have priority above those in the Homeseeker Band for housing
- people who are working and can afford to rent privately will no longer be eligible to join the Register. If they are on the Register at 1 April 2013, they will be removed (unless there are protected by the Council's proposed transitional arrangements). All such households whether on the Register or not on 1 April 2013 will however, continue to have access to housing advice and other support under the Housing Act 1996, as amended by subsequent legislation, should they experience or be threatened with homelessness .

Children

The number of children and young people aged between birth and 15 years is expected to grow by 8.2% (3,500) by 2016 and 21.1% by 2026. Just as at present, households with a housing need containing children will continue to be able to join the Housing Register. It is important to note, however, that having children does not in itself denote a housing need, therefore, it is anticipated that some (JG comment: do we have an estimate?) households containing children but without any housing needs will either be removed from the Register on 1 April 2013 or not be eligible should they apply after this date. All such households whether on the Register or not on 1 April 2013 will however, continue to have access to housing advice and other support under the Housing Act 1996, as amended by subsequent legislation, should they experience or be threatened with homelessness .

It is likely that an increase in young children will correlate with an increase in those accommodated by the Council's Children and Young Adults Services. Care leavers will positively benefit from the revised Allocations Scheme as their needs are considered to merit an assisted offer under the Emergency band.

Children in households renting from Havering Council with a secure tenancy or a PSL tenancy will positively benefit from the revised Allocations Scheme in that once a household has held a tenancy with Havering Council for five years, they are eligible to join the Housing Register even if they have no housing need. It is believed this will increase the ability of council tenants to move between property types, say from a flat to a house, or from area to area within the borough as currently such households are in the lowest band, Band E, with minimal chances of receiving an offer or alternative accommodation.

Young people

People aged 18-25 years

As at 21 August 2012 there were 2,703 applicants¹ aged 18-24 years on the Housing Register. Of these, 139 applicants were in Band E and this group is more likely to be affected by the proposed scheme as they are unlikely to be eligible to join the Housing Register.

Young adults living with parents or in private rented housing

Under the proposed scheme young adults living with their parents or in private rented housing who are adequately housed may perceive themselves as negatively affected by the implementation of the proposed scheme. However, if they meet the prior residency criterion and have a housing need (reasonable preference under the Homeseeker Band) they will be eligible to apply to join the Housing Register.

Care leavers

Residents leaving the care of Havering Council's Children and Young Adults Services aged 18-21 will benefit from the proposed changes to the housing allocations scheme. They will be placed in the Emergency Band and will be given assisted offers Council accommodation in addition to the ability to bid for properties through the choice based lettings system. This should mean that they are quickly provided with accommodation and valuable social services resources released to support other young people.

Disability

Borough-wide information - Joint Strategic Needs Assessment (JSNA) refresh - 2010 report

The key headlines include:

- It is estimated that more than 14,000 adults of working age in Havering have a disability and more than 6,000 are unable to work because of a disability
- Overall, adults in Havering are less likely to have a disability or a long term limiting illness than the national average and are likely to live for a greater number of years without a disability than is the case nationally
- It is less common for people in Havering to claim incapacity benefit (given to people who cannot work due to illness or disability) than is the average in England and London
- 43% of those claiming incapacity benefit in Havering have a mental health issue

Physical disabilities

It is estimated that more than 14,000 adults (of working age) in Havering have a moderate or severe disability. The number of those with moderate or severe disabilities is expected to rise by around 7% in the next 10 years, with more than 15,000 adults in Havering having a physical disability at this time.

Learning disability

Over 700 Havering adults are recorded on GP registers as having a learning disability. This represents around 0.4% of the population, which is in line with the national average of 0.4% and slightly above the London average of 0.3%. Overall, the number of adults in Havering with a learning disability is expected to increase by around 7% over the next 10 years and it is expected that need for local services will rise commensurately.

¹ This study was based on the age of the sole or main applicant.

Single Housing list data – people with physical, sensory and learning disabilities (July 2012)

Following a recent joint study between Adult Social Care services and Housing Services, a single disability and housing list (as at July 2012) indicate that:

- there are 578 people with disabilities who require housing, of which 48 are clients of Children and Young People and 530 are clients of Adult Social Care
- 490 of these have a Learning Disability (LD) (85%); 56 have a Physical Disability (PD) (10%); and 32 have both multiple disabilities (LD and PD) (5%)
- 60% are male and 40% are female
- approximately two thirds of clients are 30 years old or younger
- 243 are known to have full time or occasional wheelchair use (42%) and a further 10 people have other mobility issues.

Applicants on the Housing Register who have expressed an interest in extra-care or supported housing

As at 18 August 2012, a total of 138 applicants aged 55 years were interested in either extra-care or supported housing in the borough. Of these, 46 applicants were in band E and this group is unlikely to be eligible to apply for the Housing Register under the proposed scheme.

Eligibility

Disabled people will be positively affected by the proposed Scheme. Disabled people who have lived in the borough for at least the previous 2 years will meet the medical and welfare housing preference and be placed in Homeseeker band.

Once they are in the Homeseeker Band, they may be eligible to apply under a number of options for Community Contribution Reward to gain greater priority for housing. Community Contribution Reward will be awarded for working, volunteering, needing to move to foster/adopt, and downsizing. It is recognised that a single disabled applicant or joint applicants where both are disabled or one is a registered carer of the other may not be able to benefit from this reward, thus, if a single applicant is in receipt of the high rate of Disability Living Allowance or equivalent, or both joint applicants are in receipt of this benefit or equivalent, or if one of the joint applicants is in receipt of this and the other is their full time carer and in receipt of Carers Allowance or Attendance Allowance (or equivalent) they will be eligible to apply for Community Contribution Reward under the Disability criterion, without working, volunteering, needing to move to foster/adopt or downsizing.

Emergency need to move

Disabled people with an urgent need to move when their home is unsuitable will be placed in the Emergency band and supported with assisted offers as well as being able to bid for properties through the choice based lettings system.

In addition, disabled people moving from specialist accommodation provided by the London Borough of Havering's Social Services Team, North East London Foundation Trust (NELFT) or another registered supported housing provider will be supported into housing under the Emergency band.

Older disabled or very infirm people – please refer to the section on Older People.

Gender

Of the 236,100 borough population, 52% are female and 48% are male². This may in part be due to women's longer life expectancy. In the last financial year (2011-12), women made up over 70% of tenants taking up an offer of accommodation from the Housing Register. The reason for this may be that women's circumstances are more likely than men's to come under a reasonable preference category, particularly given the pattern of child care. It is predicted that this preference to women will continue as the Reasonable Preference categories will remain in place.

In addition, to this assessment we have considered the impact the proposed scheme will have on each gender during different stages of life. In particular, we have taken account of pregnancy and maternity and periods when both men and women may have breaks in employment (through no fault of their own, notably through redundancy).

Gender reassignment/identity

No data are available locally about people who are and have undergone gender reassignment or have changed their identity. People applying for the Housing Register need to provide two forms of proof of identity/address. As these documents are issued by a statutory agency this should not impact on a person's ability to supply evidence as part of their application.

Marriage and Civil Partnership

Approximately 0.1% (170) of Havering residents who disclosed their marital status live in same-sex couples. Housing legislation, the Localism Act 2011 and proposed allocations scheme treat same-sex couples the same as co-habiting and married couples. We have considered couples as part of developing the proposed scheme to ensure that it gives couples equal eligibility with single applicants.

Pregnancy and Maternity

Between 2005 and 2010, the number of live births in Havering had increased by 14%. Women who have taken statutory maternity leave will be positively affected by the proposed scheme, as this group will be allowed a 6-month break in employment in a 12-month period and still be eligible to apply for Community Contribution Reward. This policy will give pregnant and nursing mothers equal opportunities alongside their male employees.

Carers

There are few data available locally on carers. Women comprise 79% of Carers Allowance Claimants. This may be in respect of their main care responsibilities for a dependent child or close relative.

We have considered how carers can be treated fairly under the proposed Housing Allocations Scheme. If a single applicant is a full time carer for an ill or disabled child or relative and they receive Carers Allowance, they would be eligible to apply for Community Contribution Reward (CCR).

² Office of National Statistics 2010 mid-year population estimates, Office of National Statistics, 2011

Appendix D

Likewise, if the joint applicant does not have disabilities and they are the full-time carer for their partner (joint applicant) they will also be eligible to apply under CCR.

Race/ethnicity

Borough-wide data

BME groups	Percentage
People with a BME heritage living in Havering Borough	8.5%
People with BME heritage on the Housing Register (Dec 2011)	17.64%
No. of properties let to people with a BME heritage (April 2008- Jan 2011)	12.34%

The table above shows that people with a BME heritage make up 17.64% of those households on the current housing register, whilst representing 8.5% of Havering's population. The higher number of BME households correlates with our homeless strategy research that identified that these households are more likely to live in overcrowded living conditions or homeless than other households in the borough. Overcrowded households are likely to be registered for large family homes, which mean that they tend to wait longer to be re-housing due to the relatively small number of family-sized social or affordable homes in the borough.

This over representation of BME households is also reflected in the number of lets from the housing register. Between April 2008 and January 2011 12.34% of lets were to BME groups. Given the relatively small number of family-sized social and affordable homes, existing tenants from may have a limited number of suitable homes to transfer to under the Tenancy Transfer proposals. This will need to be closely monitored.

Religion or belief

Data held on the Housing Register does not record people with different religions or beliefs.

At the time of the Census 2001, 76% of Havering's population stated that they were Christian, followed by 13% with no religion and just below 8% who preferred not to state their religion.

Other religions in the borough include Hindu (0.77%), Sikh (0.52%), Buddhist (0.18%), Muslim (0.8%) and Jewish (0.5%).

The research above makes it difficult to establish those with a specific religious that could be affected to a greater extent under the new Housing Allocations Scheme.

Sexual orientation

No data are held on the Housing Register.

The Census 2001 identified that only 0.1% (170) of people in Havering reported that they lived in same-sex couples. Same-sex couples who are co-habiting or who want to make one application for the Housing Register will be treated the same as a married or civil partnership.

Socio-economic groups

Analysis of the Council's Housing Benefit and housing management systems show a high level of benefit claimants. Records show that 71.71% of Homes in Havering tenants are in receipt of either

full or partial housing benefit. The number of private tenants (including housing association tenants) claiming housing benefit has also seen a dramatic increase in claimants since 2007 and totalled over 6000 claimants in 2011.

Impact on specific socio-economic groups

Households that have lived in the borough for at least the last 2 years, have a low income and are in housing need will be eligible for the Homeseeker band. In addition, applicants in this group should be eligible for the Community Contribution Reward (CCR) if they give something back to the community. If they are not working (16 hours a week) and are in receipt of welfare benefits, they will still be eligible to apply for CCR if they volunteer at least 10 hours a month, are ex-armed forces personnel who have recently left or are close to leaving the service, want to foster or adopt, are willing to downsize to a smaller property, or are disabled (refer to section 2.1.1 and Table 1 in the Scheme).

Other groups – people directly affected by the new allocations Scheme

Impact analysis on applicants currently on the Housing Register

Applicants currently in Bands A and B

Modelling has been done to assess the impact of the proposals on the current housing register to assess the impact of the proposed changes in the housing allocations review. This showed that anyone currently in high priority bands, Bands A and B, will remain on the housing register.

Applicants who live outside the borough

Approximately 2500 households that are currently on the housing register but live outside the borough would no longer be eligible under the proposed Scheme. The vast majority of this group are aged under 55 years with only 333 applicants aged 55 and over. The housing register does not record the reason that households are seeking housing in Havering borough so anticipating the needs of this group has proved challenging.

CONSULTATION

- 4. If no data and information is available about the groups likely to be affected by the activity, how would you inform your EA? Will you be considering carrying out some consultation to inform your EA?**

4 (a) Staff

Staff who will be responsible for managing the Scheme, namely from the Strategic Housing Team, Housing Needs & Service Development, Housing Options Service and Homes in Havering (HiH) have been members of the Housing Allocation Scheme Project Team.

One-to-one meetings have been held with key internal partners such as the Social Services' Learning Disabilities Team and Corporate Equalities Team to ensure that the needs of customers have been incorporated in the Housing Allocations Scheme review.

21st March – Briefing to Corporate Management Team

In addition, as part of the consultation internal services were invited to complete an online survey and attend both a formal and follow-up consultation session held on 30 April and 14 May respectively. This consultation was particularly relevant given the matrix approach needed in order to successfully deliver the allocations scheme, for example working with Children's Services to support care leavers. Consultation notes are a background paper to the report and are available on request.

4 (b) Community

The Council has consulted extensively with wide ranging stakeholders, including applicants on the Housing Register and local communities. Consultation notes are a background paper to the report and are available on request.

Consultation includes the following:

Round 1

6th January-10th February 2012 - Letters were sent to everyone on the Housing Register, setting out the key proposals and inviting them to complete an online or paper survey questionnaire (6 weeks consultation).

6th February – Briefing and consultation with Elected Members

Round 2

April – May 2012

30th April – Formal consultation event. Invitations were sent to Registered Providers (also known as Housing Associations or Registered Social Landlords) and stakeholder groups (including residents associations and third sector organisations).

3rd May – Public consultation at Hornchurch Library

14th May – Follow up consultation workshop for Registered providers and stakeholder groups

14th May – Briefing and consultation with Elected Members

15th May – public question and answers drop-in session at Briar Road Information Shop, Harold Hill

22nd August – final consultation with Registered Providers with which Havering Council has nominations arrangements.

Appendix D

5. The impact of the proposed Housing Allocations Scheme on staff and communities has been considered, and the impact on each group is detailed in the table below.				
a. Staff	Positive impact	Negative impact	Neutral ✓	The impact of the proposed Housing Allocations Scheme on staff has been considered. The transition phase (between Council adoption and effective date) will require a full complement of staff in the Housing Needs and Service Development Team in order to review existing applications, support new applicants and manage communications.
b. Communities				
Protected category	Positive Impact	Negative Impact	Neutral	Impact on protected characteristic group, mitigating measures and reasons
Age	✓ ✓			<p><i>Older people- wanting to downsize</i> The <i>current</i> housing allocations scheme gives preference to existing council housing applicants who are willing to downsize to a smaller property. There are currently 51 applicants who are registered to downsize, of which 39 are aged 55 and over. Our <i>proposed</i> scheme continues this policy and will better support people who have been council tenants for at least 5 years to transfer to another home and will give priority (under the Community Contribution Reward) to those wanting to downsize to a smaller home. The proposed change should reduce the waiting time and rent of those wishing to move to a smaller property.</p> <p><i>Older people- volunteering</i> Older volunteers who contribute to their community will be eligible to apply for Community Contribution Reward (CCR) and have priority over those in Homeseeker Band for housing. To ensure that older disabled older households who cannot volunteer are treated equally, they will be able to apply for CCR under the disabled criterion (see below).</p>

	✓		✓	<p><i>Older people – very infirm or disabled</i> Community contribution reward - If the applicant(s) is frail or disabled and this means that the full eligibility criteria can not be met, Community Contribution Reward will still be granted based on advice from Adult Social Care services, relevant practitioners and if Attendance Allowance (or equivalent) is received. In cases where an applicant(s) has an urgent need to move and their current cannot be adapted to meet their needs, they will be supported through assisted offers under the Emergency Band.</p> <p>✓ <i>Older people – who are not disabled, and do not work or volunteer</i> Older people who meet the prior residency criterion and have a housing need, will be eligible to apply to join the Housing Register and could be placed in Homeseeker Band.</p> <p><i>Young adults – care leavers</i> Residents leaving the care of Havering Council’s Children and Young Adults Services aged 18-21 should also benefit from the proposed changes to the housing allocations scheme. They will be placed in the Emergency Band and will be given assisted offers of Council accommodation in addition to the ability to bid for properties through the choice based lettings system. This should mean that they are quickly provided with accommodation and valuable social services resources released to support other young people.</p> <p>✓ <i>Young adults living with parents or in private rented housing – adequately housed or have no housing need</i> People living with parents or in private rented housing who are adequately housed or have no housing need will be negatively affected under the proposals. To mitigate and manage this negative effect, the Council will consider homeless enquiries under Housing Act 1996. In the first instance, people should contact the Council’s Housing Advice and Options Team. However, if they have meet the residency criteria and have a housing need under the Homeseeker Band they will be eligible to apply to join the Housing Register.</p>
	✓			

	<p>✓</p> <p>✓</p> <p>✓</p>	<p>✓</p> <p>✓</p>	<p>✓</p> <p><i>Young adults living with parents or in private rented housing – with housing need(s)</i> Young adults who meet the eligibility criteria and have a housing need(s) will be positively affected by the proposals and will be eligible to join Homeseeker Band, and if eligible apply for Community Contribution. Young people who have an urgent housing need will be supported through assisted offers under the Emergency Band.</p> <p><i>Children</i> Local children in care on fostering or adoption lists will be positively affected by the proposals as applicants that want to adopt or foster will be eligible to apply for Community Contribution Reward, giving them priority for housing over those in Homeseeker Band.</p> <p>Children in households that are seeking to transfer to another home will be positively affected as homes with gardens will be prioritised for households with children under 16 years of age. This could enable families with young children to move from a flat to a house with garden.</p> <p><i>People of working age - currently on the Housing Register (see also Other Groups)</i> <i>Applicants who live outside the Borough</i> Under the proposals, anyone who lives outside of Havering will not be eligible to join the housing register. This is likely to have a negative impact on younger households who may have had to move outside of the borough due to work or in order to find cheaper rents. The reason why the applicant is looking to move into Havering is not formally recorded, but given the age of this group it seems likely that they would be looking to receive support from family members in the borough.</p> <p>✓ Other options are available if households living outside the borough are social housing tenants, as they can apply for a transfer through the Pan-London <i>housingmoves</i> scheme, national scheme or apply for a mutual exchange.</p>
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	✓		✓	<p><i>Families</i> If families meet the residency criterion and have a housing need, for example they live in overcrowded accommodation, they will be eligible to apply for the Housing Register and will be placed in Homeseeker Band. They can then also apply for Community Contribution Reward if they meet one of the criteria.</p>
Disability	✓			<p><i>Homeseeker Band</i> Anyone with a disability (learning, physical, and/or sensory) may apply for priority on the housing register on the basis of their specific needs under the medical/welfare banding reason. Furthermore, to ensure that disabled people in general needs housing are treated equally, if a single applicant or both partners in a couple are unable to work or volunteer, they will be able to apply for Community Contribution Reward (evidence of high rate Disability Living Allowance (or equivalent) needed).</p> <p><i>Emergency Band</i> People moving from specialist accommodation provided by the London Borough of Havering’s Social Services Team, North East London Foundation Trust (NELFT) or another registered supported housing provider will be supported into housing under the Emergency band.</p> <p>Any applicant with a severe disability who urgently needs to move (and their current home is unsuitable) will be eligible for the Emergency band. To expedite a direct offer of accommodation. A similar scheme is already in operation through the Special Needs procedure under the current allocation scheme. Disabled applicants will be supported through assisted offers of accommodation as well as having the ability to bid through the choice based letting system in order to support vulnerable people into suitable housing as quickly as possible.</p>
Gender			✓	<p>Under the current housing allocation scheme women make up over 70% of lets through the housing register last year. This may be because women are more likely to fall into a reasonable preference category. It is predicted that this preference to women will continue as the Reasonable Preference categories will remain in place.</p>

Appendix D

Gender reassignment/identity			✓	This group has been considered. It is expected that the proposed allocations scheme will neither significantly advantage or prejudice this group.
Marriage and Civil Partnership			✓	If couples meet the residency criterion and have a housing need, they will be able to apply for the Housing Register. If one or both of them works, volunteers, needs to foster or adopt then they will be eligible to apply for the Community Contribution Reward (CCR). This gives a couple equal eligibility with single applicants.
			✓	We recognise that if one partner in a couple is disabled, they and/or their partner may still be able to work or volunteer. If their partner is their main carer and this means that neither are able to work/volunteer they will be able to apply for CCR if the disabled partner claims the high rate of Disability Living Allowance (or equivalent).
Pregnancy & Maternity			✓	<i>Equal opportunity to apply for Community Contribution Reward</i> To ensure that women who work or volunteer and are pregnant or nursing are treated fairly, we will take into account these breaks in employment and allow a 6-month break in employment during the 12 months period to enable these women to apply for Community Contribution Reward. We will need written evidence of statutory maternity pay and part of the application.
Carers	✓			<i>A full time carer for an ill or disabled child or relative</i> We have considered how carers can be treated fairly under the proposed Housing Allocations Scheme. If a single applicant is a full time carer for an ill or disabled child or relative and they receive Carers Allowance, they would be eligible to apply for Community Contribution Reward. Likewise, if the joint applicant does not have disabilities and they are the full time carer for their partner (joint applicant) they will also be eligible to apply under CCR.
Race/ethnicity	✓			Under the proposed Scheme, people wanting to downsize will be given priority under Community Contribution Reward to move. This should free up large, family homes. This should

			<p>✓</p> <p>be an advantage to BME households who show a high rate of overcrowding.</p> <p>✓</p> <p>In the last 3 years BME households were over represented in the number of lets made from the housing register, with 12.34% of lets having been made to BME groups. As such, it is predicted that the proposal to include a tenant transfer scheme will not unfairly disadvantage BME households. However, this will have to be closely monitored.</p> <p><i>People with indefinite or limited leave to remain in the country</i> People who have sought asylum and have been granted indefinite or limited leave to remain in the country and have a right to social and affordable housing will be eligible to apply for the Housing Register if they meet the prior residency criterion and have a housing need (under Homeseeker Band). They can then apply for Community Contribution Reward if they meet the criteria. If people in this group are not eligible for to join the Housing Register, they will still be eligible for housing advice under the Housing Act.</p>
Religion or belief			<p>✓</p> <p>These groups have been considered. It is not expected that the proposed Allocations Scheme will have a significant advantageous or detrimental impact on this group.</p>
Sexual Orientation			<p>✓</p> <p>Following consideration, it is expected that the proposed Housing Allocations Scheme will have no significant advantageous or detrimental impact on this group.</p> <p>✓</p> <p>Young gay, lesbian and bi-sexual homeless people Housing advice and support will be given as part of the Council’s homelessness duties under part 7 of the Housing Act 1996.</p>
Socio-economic	✓		<p>✓</p> <p><i>People of working age, living with parents or private rented housing</i> People who are living at home with family or in the private rented sector and have a housing</p>

<p>Groups</p>	<p>✓</p>	<p>✓</p>	<p>✓</p>	<p>need as defined by the proposed banding scheme will be eligible to join the housing register as long as they meet the other eligibility requirements.</p> <p>✓ People on a low income who are adequately housed and living at home with parents or in the private sector may perceive themselves are being negatively affected by the proposals. However, the negative impact is mitigated for those who meet the residency criterion and have a housing need as they will be eligible to join the Housing Register. It is proposed that anyone with a housing need, for example living in overcrowded housing with insufficient income to rent privately (see Appendix 1 of the Scheme) will be eligible to apply to join the housing register.</p> <p>✓ <i>Low income households, particularly lone parent families, disabled people and part-time workers</i> Households that meet the residency criterion, have a low income and are in housing need will be eligible for the Homeseeker band. In addition, applicants in this group should be eligible for the Community Contribution Reward (CCR) if they give something back to the community. If they are not working (16 hours a week) and are in receipt of welfare benefits, they will still be eligible to apply for CCR if they volunteer at least 10 hours a month, are ex-armed forces personnel, want to foster or adopt, are willing to downsize to a smaller property, or are disabled (see section 2.1.1 and table 1 in the Scheme).</p> <p>The Community Contribution Reward (CCR) scheme recognises people who contribute to their community. It has been developed to ensure that part-time workers and that not in employment have opportunities to apply. The options include: volunteering, working, fostering or adopting, ex-armed forces personnel or wanting to downsize to a smaller home. If the main and joint applicant are disabled and unable to work/volunteer or they are main carers for a disabled child or relative they can also apply for CCR. The range of options offered to applicants to increase their priority on the housing register gives all protected characteristic groups, including lone parent families, low income households and disabled people an opportunity to achieve the Community Contribution Reward (CCR).</p>
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	<p>✓</p> <p>✓</p>		<p>✓</p>	<p>To ensure that working applicants who lose their job through no fault of their own are given an equal opportunity to apply for CCR, they are allowed to have a 3-month break over the previous 12-month period (they will need to be working or volunteering at both the beginning and end of the 12 months period).</p> <p><i>Low income households in the private rented sector or living with parents and have a housing need will be eligible to apply for the Housing Register</i></p> <p>If low income households in private rented housing are adequately housed (i.e. they have no housing needs) they may perceive themselves to be disadvantaged by the proposals. Under the <i>current</i> allocations scheme low income households who do not have a housing need are eligible to join the housing register but face many years on the waiting list due to their low priority. If the proposed scheme is adopted, then they would no longer be eligible to join the housing register. <i>Although these households are not eligible under the proposed Scheme, it should be noted that these they will still be able to seek housing assistance as homeless legislation takes affordability issues into account.</i></p>
<p><i>Other groups applicants - currently on the Housing Register</i></p>		<p>✓</p> <p>✓</p>	<p>✓</p> <p>✓</p>	<p><i>Younger people who live outside the Borough</i></p> <p>Under the proposals, anyone who lives outside of Havering will not be eligible to join the housing register. This is likely to have a negative impact on (i) younger households who may have had to move outside of the borough due to work or in order to find cheaper rents. People living outside the borough who are social housing tenants could transfer or enter a mutual exchange through the national or pan-London <i>housingmoves</i> scheme.</p> <p><i>Older people who live outside the Borough</i></p> <p>Data shows that 333 out of borough residents who are looking to move into the area are aged over 55. The proposals are likely to have a negative impact on these people. The reason why the applicant is looking to move into Havering is not formally recorded, but given the age of this group it seems likely that they would be looking to receive support from family members in the borough. People living outside the borough who are social housing tenants could transfer or enter a mutual exchange through the national or pan-London <i>housingmoves</i> scheme.</p>

6. What is the likely impact on arrangements for safeguarding children and/or safeguarding vulnerable adults?

6 (a) Vulnerable children & Vulnerable adults

The proposed changes will continue the work of the Housing Needs Assessment Team in safeguarding of vulnerable children and adults and have an overall positive impact. Under the proposals an emergency band has been created for households that need to move urgently, for example those fleeing domestic abuse. Anyone placed in the emergency banding will be given an assisted offer of accommodation in addition to being able to bid through the choice based letting system. It should be noted that in exceptional emergency situations, an assisted offer will be the quickest route to re-housing. This should mean that vulnerable children and/or adults will be re-housed quickly and removed from any dangerous situation.

Furthermore, the proposed Scheme will support applicant(s) who need to move to adopt or foster children, thereby continuing the care of vulnerable children, in partnership with the Council's Children and Young Adult Service. Applicants who want to foster or adopt (and meet the eligibility criteria for Homeseeker band) can apply for Community Contribution Reward and have priority over those in Homeseeker band.

PREVENTING DISCRIMINATION

7. If any negative impact is identified, is there a way of eliminating or minimising it to reasonable level? If not, how can the negative impact be justified?

7 (a) Staff

The transition phase will need to be managed to ensure the project is successfully delivered but it is not expected that the proposed scheme will have a negative impact on staff.

7 (b) Community

It is predicted that the proposed changes will have a negative impact on out of borough applicants who will no longer be eligible to join the housing register. This will particularly affect young households who have left the borough in search of employment or cheaper accommodation and elderly applicants wishing to move into the borough to live nearer to family. This decision can be justified as the Localism Act 2011 gives the Council greater power to decide who is eligible to join the housing register and there is political support for only allowing local residents to access council housing. Some of this impact will be mitigated by existing schemes designed to aid cross-borough movement. Social tenants will be able to complete a mutual exchange and Havering is currently considering joining the Pan London Mobility Scheme. In addition to this, private tenants from outside the borough will still be able to access homelessness services if required.

PROMOTING EQUALITY

8. How will the activity help the Council fulfil its legal duty to advance equality of opportunity in the way services are provided?

8 (a) Staff

The proposed changes will have no impact on the Council's staff.

8 (b) Community

The proposed changes to the housing allocations scheme should make the housing register easier to understand by reducing the number of bands from five to two. Reducing the number of bands on the housing register will also ensure that those who are most vulnerable and who have the most housing needs are prioritised. This includes those with disabilities and BME households.

We have considered the impact of our proposals on each of the protected characteristics groups and details can be found in Section 5.

SPECIFIC NEEDS

9. What actions will you be taking in order to maximise positive impact and minimise negative impact from the activity?

9 (a) Staff

During the transition phase (6 months) a communications strategy and applications review will be implemented and will increase partnership working in order to communicate the policy to vulnerable clients and the wider community. Once the proposed scheme becomes effective from April 2012 it is not expected to have an impact on the Council's housing staff or existing internal partnership working relationships.

9 (b) Community

Consultation has been undertaken with wide ranging stakeholders, including Housing Register applicants, members of the public and key partner organisations such as Age Concern has been undertaken. This has allowed changes to be made to the proposals in light of residents' and partner organisations' opinions.

If the proposed scheme is adopted by the Council then a transition phase will be undertaken in order to (i) to fully explain the scheme to those directly affected who will no longer be eligible, (ii) protect the top priority bidding applicants under the current allocations scheme for a certain period and (iii) review existing applications.

- Writing to everyone on the housing register providing them with a copy of the changes that will be made to the housing register as part of the housing allocation review and how this may affect them.
- Utilise a multi-platform approach to communicate with applicants to highlight the advantages of the housing allocations review including information on the Council's internet pages. This will

promote the fact that review will simplify the housing register and allow greater focus on those in housing need.

- Team briefings with social services will also be held to ensure that their service users, including elderly and disabled people are aware of the changes and the impact they may have on them.

MONITORING AND REVIEW

10. Once implemented, how often do you intend to monitor the actual impact of the activity?

10 (a) Staff

The scheme will be review and managed through regular Project Team and frontline team meetings. The teams will share learning in order to support frontline staff and assess any impact on staff resources.

In addition, the Housing Allocations Scheme will be formally reviewed by the Project Team in April 2014 and annually thereafter.

10 (b) Community

The actual impact of the Housing Allocations Scheme on the community will be monitored using a number of different methods, including:

- Regular housing register reports to ensure that:
 - A proportionate number of BME households are being taken into account, including the monitoring the length of time larger families wait for housing under the new scheme
 - A proportionate number of households who fall into the protected groups categories are applying for the Community Contribution Reward
 - Havering Council Tenant Transfer Scheme applicants are not unfairly advantaged and being housed before those in the reasonable preference categories.
- A full review of the housing allocations scheme after it has been in operation for one year and annually thereafter, in consultation with key stakeholders
- Focus groups will be undertaken with key stakeholders on a quarterly basis, such as Adult Social Services to ensure that vulnerable households have their needs taken into consideration.

SIGN OFF AND PUBLICATION

- ### **11. When completed, the Equality Analysis needs to be signed off by the Head of Service. Once signed off, it should be forwarded to the Directorate Equality Analysis Web administrator to publish it on the Council's website.**

HEAD OF SERVICE

Name:

Date:

Signature

LONDON BOROUGH OF HAVERING EQUALITY ANALYSIS

Cabinet 26th September 2012 – Draft Tenancy Strategy

SCOPE OF PROPOSAL

1. What is the scope and intended outcomes of the activity being assessed; in terms of both the Council's organisation and staffing, and services to the community?

Background and scope of the Tenancy Strategy

The Localism Act 2011 introduced a number of housing reforms. These changes include giving local authorities and Registered Providers (RPs) the freedom to introduce flexible fixed-term tenancies from April which have a limited security of tenure. Under the Act, the Council has a duty to adopt and publish a Tenancy Strategy that sets our guidance that registered providers of social housing must have regard to in formulating policies relating to—

- (a) the kinds of tenancies they grant,
- (b) the circumstances in which they will grant a tenancy of a particular kind,
- (c) where they grant tenancies for a term certain, the lengths of the terms, and
- (d) the circumstances in which they will grant a further tenancy on the coming to an end of an existing tenancy.

These specific matters are set out in Chapter 7 of the Strategy.

In addition, registered providers operating in the borough must take account of other aspects of housing and welfare policy in setting Affordable Rents (which have been worked up alongside the Localism Act) and the Tenancy Strategy includes details on the Council's approach to affordable rents in the borough and sets out guidance for those providers with housing stock in the borough.

Aims of the Strategy:

- to make best use of housing stock in the borough
- to increase housing mobility
- to meet the needs of those in priority need at a time in their lives when they need social housing

The Council's Fixed-term tenancy proposals are set out in Chapter 7 of the Draft Tenancy Strategy. We propose to introduce flexible fixed-term tenancies as there are significant number of under-occupiers in our stock and similarly, large number of overcrowded households on the Housing Register. In addition, adapted properties for disabled people are in short supply. The Council's housing management service will deliver the new regime and Registered Providers must have regard to our proposals when developing their own tenancy policies.

How are these aims going to be achieved?

In developing the proposals, we have consulted and taken account of the views of applicants on the Council's Housing Register, residents and local housing steering groups.

The Council has established working partnerships with Registered Providers and held consultation events in order to fully inform development of the strategy proposals and will use these partnerships to communicate the proposals if the draft tenancy strategy is adopted.

1 (a) Organisation and Staffing

The Council's fixed-term tenancies policy proposals affect existing staff in the Council's Housing Services, other internal services such as Adult Social Care, and Homes in Havering's Housing Management Service which is being transferred to the Council.

1 (b) Services to the Community

The guidance and proposals in the Council's Tenancy Strategy will inform Registered Providers' own tenancy policies and ensure that from 1 April 2013 new tenants are provided with at least the minimum tenancy term and that the proportion of properties let by Register Providers at an Affordable Rent are in line the Council's expectations.

PEOPLE AFFECTED

2. Which individuals and groups are likely to be affected by the activity?

2 (a) Staff Individuals and Groups

Staff

London Borough of Havering

- Havering Council's Housing Needs and Strategy service
- Homes in Havering's Housing Management Services (tenancy management, rent management, ASB teams) following service transfer to the Council
- Other internal partner such as Havering Council's Adult Social Care Service

External organisations (in partnership)

- Registered providers will have due regard to the Council's Tenancy Strategy when developing their own tenancy and lettings policies
- East London Lettings Company (ELLC) which operates Havering Council's choice based lettings scheme
- Community organisations including Age Concern

2 (b) Community Individuals and Groups (including voluntary organisations)

Fixed-term tenancies

Existing Havering Council tenants

Existing Havering Council tenants with secure lifetime tenancies will not be affected by the proposals, even if they transfer within the Council's housing stock. In cases where a secure lifetime tenant wants to enter into a mutual exchange with a fixed-term tenant, they will need to make a request of the landlord to agree to surrender and sign a new tenancy in order to retain a lifetime tenancy. We will work with Registered Providers to honour existing tenants' tenancies. For example, should the Council undertake a small or large scale voluntary transfer to a RP in the future, it will ensure existing tenants with secure lifetime tenancies are provided with assured tenancies.

New Council tenants

The policy will affect new Council tenants from 1 April 2013, with the exception of people who move to properties designated for tenants aged 60 years and above. These are sheltered and extra-care schemes and flats in general needs schemes designated for 60+ (or 55 years+ with a support need).

New tenants of Registered Providers

These tenants will be affected because some RPs have entered into agreement with the Homes and Communities Agency to new build new properties let at an Affordable Rent (up to 80% of market rents) and to convert a proportion of other homes to an Affordable Rent when they are re-let. Havering Council currently plans to continue to let its properties at a social rent.

Applicants on the Housing Register have access to details of properties let at a social or affordable rent and therefore need to decide whether they can afford to pay the higher Affordable Rent for a property. To help them make this decision, an Affordable Rent calculator is available on the council's choice based lettings website. In addition, some RPs may carry out a follow up financial assessment for tenants.

Focus on specific groups

The new fixed-term tenancy proposals will affect most new tenants; however there are particular groups that fixed-term tenancies will impact on to a greater extent. These include those with a protected characteristic, particularly older people, young families, employed people, low income families and households that contain someone with a disability.

DATA AND INFORMATION

3. What data/information do you have about the people with 'protected characteristics'

3 (a) Staff

Havering Council staff

It is expected that the preparation phase (between formal adoption of the policy and the effective date 1 April 2013) that includes training, procedure development, administration and publicity will require a full complement of staff in both Housing & Public Protection and Housing Management Services. The implementation of fixed-term tenancies from April 2013 will require an increase in staff training and more regular review visits or meetings with tenants in the borough.

It is expected that the Council's fixed-term tenancies policy will impact on staff resources when initial reviews of 3-year fixed term tenancies commence (9 months before the initial tenancies come to an end) in July 2016.

3 (b) Community

If the Tenancy Strategy proposals are approved, the Council's fixed-term tenancies policy will affect all new council housing tenants from 1 April 2013 with the exception of tenants that move into housing designated for people aged 60+ years. This will include people aged 55+ years if they have a support need). The Council also expects Registered Providers to continue to provide lifetime tenancies to people with severe disabilities or learning disabilities with support needs living in specialist supported housing or living in general needs housing who received long-term care and/or support services. However, we recognise that in some circumstances, offering a lifetime secure tenancy would not be appropriate for example for tenant(s) living in move on accommodation with floating support.

Age

Older people

People aged 65 to 85 years

Havering has the highest proportion of older people of any London Borough.

The Council's fixed-term tenancy policy will not impact on older people who move into housing designated for people aged 60 years+ (or 55+ with a support need) as they will be provided with a secure lifetime tenancy.

However, the proposals will impact on other older households in the following ways:

Older people who move into general needs housing

Under the proposals, these households will be given a 5-year fixed-term tenancy that will normally be renewed on a 5-year basis, unless there has been a change in circumstances.

Older people who are under-occupying their home

This includes cases where adult children have moved out and parents are now under-occupying their property. When the fixed-term tenancy is reviewed, the Council may decide to provide a fixed-term tenancy for another property so that the large family size home can be freed up for families on the Housing Register (also known as housing waiting list).

People aged 85 years+

The Tenancy Strategy highlights that while the older population age group 65+ years is expected to decrease between 2011-12, we can expect an increase (of 30% between 2001-11) in the elderly population aged 85+.

New elderly council tenants who move in to the Council's supported (also known as sheltered) or extra-care housing will be positively affected as the Council proposes to continue to provide these tenants with secure lifetime tenancies.

Young families

There are currently a large number of families with a housing need on the Housing Register. Research¹ indicates that the number of newly forming family households is likely to continue to grow, increasing the pressure on the supply of existing family-size housing in the borough.

The Council's fixed-term tenancy proposals will positively impact and better support these families in to family homes.

Disability

Disabled households on the Housing Register who need an adapted home

A recent study (July 2012) to determine the number of people with disabilities who require housing has indicated that:

- there are 578 people with disabilities who require housing, of which 48 are clients of Children and Young People and 530 are clients of Adult Social Care
- 490 of these have a Learning Disabilities (LD) (85%); 56 have Physical disabilities

¹ Strategic Housing Market Assessment 2010

(PD) (10%); and 32 have both Learning and Physical disabilities (LD and PD) (5%)

- 60% are male and 40% are female
- approximately two thirds of clients are 30 years old or younger
- 243 are known to have full time or occasional wheelchair use (42%) and a further 10 people have other mobility issues
- of the 241 clients that we know the costs of their day care and home care package, costs go up to £242,474 per annum but the average cost is £22,897 per annum.

The Council's fixed-term tenancy proposals will positively affect disabled people on the Housing Register by making more adapted homes available to meet those in greatest need.

Existing tenants with a disability

The Council's adaptations data indicates that 2011/12 and 2010/11 the Council completed major adaptations² in 89 and 95 in council homes respectively. Given this current rate of adaptations and lack of suitable ground floor flats and houses, we can see from the Housing Register data above that demand far outstrips the supply of adapted properties. Under our current tenancy policy, existing households that contain a disabled person have secure lifetime tenancies and continue to live in the property even if the adaptations are no longer needed by the household. This restricts the number of adapted properties that become available to let to families that contain a disabled person.

Existing disabled tenants with a secure lifetime tenancy will not be affected by the Council's fixed-term tenancy proposals. However, new disabled tenants *will* be affected by the proposals. The Council's fixed-term tenancy proposals set out when it will not be appropriate to renew a fixed-term tenancy. This includes when a property has been adapted to meet a disabled person's needs and they no longer require it. In these cases the Council would not renew the tenancy for the same property when it comes to an end. The household will normally be supported to move through an assisted offer and a tenancy provided for another property, unless there has been a change in circumstances or exceptional circumstances that we need to take into account. This approach will free up an adapted property that is no longer required by a household and it can be used to meet the housing needs of a disabled person(s) on the Housing Register.

Gender

Of the 236,100 borough population, 52% are female and 48% are male³. This may in part be due to women's longer life expectancy.

Housing Register data

In the last financial year (2011-12), women made up over 70% of tenants taking up an offer of accommodation from the Housing Register. The reason for this may be that women's circumstances are more likely than men's to come under a reasonable preference category, particularly given the pattern of child care. It is predicted that this

² For the purposes of the desktop study, major adaptations includes works that materially affect the property structure and comprise level access showers, extensions, door widening, bathroom/kitchen works and ramps.

³ Office of National Statistics 2010 mid-year population estimates, Office of National Statistics, 2011

preference to women will continue as the Reasonable Preference categories will remain in place.

Socio-economic groups

Households whose circumstances have improved financially

Nine months before a fixed-term tenancy comes to an end, we will review a household's income and savings to see whether the tenant(s) has a high enough income to afford different housing options or whether the affordable home could be better used by someone in greater need. In these circumstances, the Council would not renew a fixed-term tenancy and the tenant(s) would be given advice and support to find alternative housing. For these reasons, a household whose income has increased may perceive themselves as adversely affected.

CONSULTATION

4. If no data and information is available about the groups likely to be affected by the activity, how would you inform your EA? Will you be considering carrying out some consultation to inform your EA?

4 (a) Staff

Staff who will be responsible for managing delivery of the Tenancy Strategy and fixed-term tenancies, namely officers in the Housing Needs & Service Development Team, Housing Strategy and Housing Management Service, have been members of the Tenancy Strategy Project Team.

Internal partners including Adult Social Services have been key stakeholders and engaged through consultation events, and the needs of their customers have been incorporated in to the Tenancy Strategy proposals. Consultation with other services includes Corporate Management Team briefing on 21 March, a cross organisation partnership event on 30 April and follow up event on 14 May 2012.

4 (b) Community

The Council has consulted with wide ranging stakeholders, including Housing Register applicants and local communities on the Tenancy Strategy and fixed-term tenancy proposals.

The initial consultation was undertaken with residents, Registered Providers and stakeholder groups in April-May 2012. Consultation included the following:

21 April – 20 May - Online and paper survey questionnaire

30 April – consultation event for Registered Providers and stakeholder groups

3 May – two consultation sessions at Hornchurch Library

5 May – questions and answers drop-in session at Briar Road Information Shop, Harold Hill

June - July – letters were sent to applicants on the Housing Register, setting out the key proposals and inviting them to complete a paper or online survey questionnaire

July-August – Consultation with Mayor of London and local solicitors

The results of these consultations and the Council's response are appendices to the Cabinet report.

Section 5. The impact of the proposed Housing Allocations Scheme on staff and communities has been considered, and the impact on each group is detailed in the table below.				
a. Staff	Positive impact	Negative impact	Neutral	
			✓	<p>The impact of the proposed Housing Allocations Scheme on staff has been considered. The transition phase (between Council adoption and effective date) will require a full complement of staff in the Housing Strategy Team and Housing Management Service in order to produce procedures and manage communications.</p> <p>Housing Management officers' sign-up responsibilities are not expected to change in relation to providing an Introductory Tenancy and initial fixed-term tenancy. The main impact of the proposed policy will be additional staff time spent reviewing and renewing fixed-term tenancies, and possibly orders cases. Staff from the housing management service have been part of the Project Team and fully input into the development of the Council's Tenancy Policy.</p> <p>In order to manage the future impact on the housing management service, the earliest review start has been considered in the example below:</p> <p>April 2013 – Commence 12-months Introductory Tenancy April 2014 – Commence a 3-year fixed-term tenancy July 2016 – commence review (9 months before the tenancy comes to an end)</p> <p>At this stage, it is difficult to determine the number of tenancies that will need to be reviewed from 2016 onwards because data cannot be modelled on the expected number of households requiring a 12-month or 3-year tenancy (i.e. have a breach in tenancy, households that contain children over 15 years of age, or a high number of people with limited leave to remain in the country).</p> <p>Modelling analyses will be undertaken as part of the initial review in April 2014 and these will inform the Council's housing management service staff strategy.</p>

b. Communities				
Protected category	Positive Impact	Negative Impact	Neutral	Impact on protected characteristic group, mitigating measures and reasons
Existing Council tenants			<ul style="list-style-type: none"> ✓ ✓ ✓ ✓ 	<p>There will no change to existing Havering Council tenants. They will keep their secure lifetime tenancy when the proposals are introduced.</p> <p><i>Tenant transfer to another Havering Council property</i> If an existing Havering Council tenant transfers to another Havering Council property, they will be given another lifetime tenancy for their new home.</p> <p><i>Other people in the household who move in to a Havering Council property</i> However, if people other than the tenant(s) lives in the property, such as a son and/or daughter and they move in to their own council property, they would be given a fixed term tenancy.</p> <p><i>Mutual exchange with a fixed-term tenant</i> If an existing Havering Council tenant whose secure lifetime tenancy started before 1 April 2012 wants to enter a mutual exchange with a fixed-term tenant, both parties need to make a request to the landlord for the tenancies to be surrendered and new tenancies provided. By doing so, a secure lifetime tenant can protect their existing rights. This will not have an adverse impact on their tenancy rights, if they exchange with a property let at an Affordable Rent they will need to pay the increased level of rent.</p>

Age	✓		<p><i>People aged 60+ years (or 55+ years with a support need)</i> These people will be positively affected under the proposals as the Council will continue to provide secure lifetime tenancies for older people who move into Council housing designated for over 60+ years.</p> <p>✓ <i>Supported (sheltered housing) tenants – a couple with different ages</i> Under the Localism Act 2011 there is one succession right to the remaining spouse of civil partner on the death of the tenant. In cases where a much younger partner, for example a 45 year old succeeds a tenancy in supported (sheltered) housing, an adjustment period of 6 months will be provided before a fixed-term tenancy will be provided for another property in general needs housing. We will take account of the welfare needs of this partner when making an assisted offer to ensure the property meets their needs.</p> <p>✓ <i>Older people – whose children have moved out of the family home</i> Under the proposals under-occupiers will be given a new tenancy for another property (unless there are exceptional circumstances) through an assisted offer. The Council will take account of the downsizer’s circumstances and any exceptional circumstances, for example welfare and social needs of a vulnerable client and terminal illness when making a decision.</p> <p>✓ <i>Young families on the Housing Register</i> Under the proposals the Council will provide under-occupiers with a tenancy for a smaller property and this will free up family size homes for young families.</p> <p><i>Care leavers</i> The Council provides services to care leavers to support them through the transition to fixed-term tenancies, in partnership with a RP operating in the Borough. This is a separate project.</p>
Disability	✓		<p><i>Disabled people on the Housing Register</i> The Strategy aims to make the best use of housing stock, including adapted housing in the</p>

	✓		✓	<p>borough for those in priority need.</p> <p><i>Disabled people with severe disabilities and learning disabilities on the Housing Register</i> The Council expects Registered Providers to continue to provide lifetime tenancies for people with severe disabilities who have a long-term care and/or support plan in place. Exceptions to this proposal include move on accommodation where floating support is provided.</p> <p><i>Existing disabled tenants – Affordable and social rents</i> It is recognised that some people with disabilities may be negatively affected by the introduction of welfare reform, that is their benefit and/or income may reduce, and this may affect their ability to afford a property at an Affordable Rent. While housing at a social rent will continue to be provided by the Council and RPs, the Council is working in partnership with Adult Social Services to develop support packages that can help people to maintain their tenancies or support them to transfer where necessary. In addition, the Council and Homes in Havering will work proactively with households to and raise awareness of Housing benefits discretionary payments when households are under-occupying a property. Registered Providers also provide financial advice and support to their tenants.</p>
Gender	✓		✓	<p><i>Older women</i></p> <p>In the last financial year (2011-12), women made up over 70% of tenants taking up an offer of accommodation from the Housing Register and this trend is expected to continue. Given the higher proportion of lettings to women and their longer life expectancy, a higher proportion of older women (compared to older men) are likely to be given lifetime tenancies in supported (sheltered) housing. Similarly, there are likely to be a higher number of women re likely to be affected by the introduction of fixed-term tenancies.</p>
Gender reassignment/identity			✓	<p>This group has been considered. It is expected that the proposed Tenancy Strategy will have no significant advantageous or detrimental impact on this group.</p>

Marriage, Civil Partnership and cohabiting couples	✓	✓	<p><i>Spouse or partner of a disabled person who has moved in to <u>permanent</u> residential care or who has died</i></p> <p>If a property has been adapted to meet the needs of a disabled person who no longer lives there, the tenancy will not be renewed at that particular property under the proposals. In these situations, the Council will check whether any exceptional circumstances need to be taken in to account. It will also take account of the remaining partner's needs and support them through an assisted offer with a new tenancy for another property. Should the disabled partner move into permanent residential care at the end of the tenancy term, the remaining partner will be given a 6 months adjustment period before the Council provides a new tenancy for another property.</p> <p>Under the proposals, the Council will take account of the remaining household and any exceptional circumstances such as the impact of moving a child away from a school when the move would have a significant detrimental impact on their educational development, or local employment when a move to another part of the borough would have a significant impact on their employment.</p> <p>There may also scenarios when a succeeding partner is very frail or disabled and the adaptations at the property meet their needs and moving to another property will not meet their need. In these cases the tenancy will normally be renewed (unless there are other changes in their circumstances).</p>
Pregnancy & Maternity			<p>✓</p> <p>This group has been considered. It is expected that the proposed Tenancy Strategy will have no significant advantageous or detrimental impact on this group.</p>
Race/ethnicity	✓		<p><i>Families with a BME heritage</i></p> <p>Under the proposals people who want to downsize, or who are under-occupying a property when the tenancy is renewed will normally be supported through assisted offers and new tenancy for a smaller property. This should free up large, family homes and should be an advantage for BME households who show a high rate of overcrowding.</p>

People with limited leave to remain in the country			✓	<p><i>People with limited leave to remain in the country</i> Under the proposals people with a limited leave to remain in the country will be given a 3 year tenancy after successfully completing an introductory tenancy. This is aligned to the five years limited leave to remain period after which they would not normally be eligible for council housing. This does not significantly advantage or negatively impact on this group.</p>
Religion or belief			✓	<p>This group has been considered. It is expected that the proposed Tenancy Strategy will have no significant advantageous or detrimental impact on this group.</p>
Sexual Orientation			✓	<p>This group has been considered. It is expected that the proposed Tenancy Strategy will have no significant advantageous or detrimental impact on this group as same sex couples are treated the same as heterosexual married, civil partners and co-habiting partners.</p>
Socio-economic Groups	✓			<p><i>People of working age with housing need and on a low income</i> The proposals will positively affect and meet the needs of those in priority need at a time in their lives when they need social or affordable housing the most.</p>
	✓	✓		<p><i>People of working age whose circumstances have changed – their income has increased between tenancies</i> Under the proposals, if a tenant(s) circumstances have changed when the tenancy is reviewed, they may be able to afford other housing options and in these circumstances the Council would not provide a further tenancy. As a result this group may perceive themselves to be disadvantaged. Although the Council would not renew the tenancy, the tenant(s) would still receive housing advice in order to seek other housing, for example a shared ownership or rented private property.</p>
			✓	<p>People on low incomes – having difficulty to pay social or affordable rents The Council's Housing Management Service provides debt counselling service to support people with financial difficulties. RPs or their partners also normally provide a similar service.</p>

6. What is the likely impact on arrangements for safeguarding children and/or safeguarding vulnerable adults?

6 (a) Vulnerable children

We have considered the impact of the Council's tenancy policy on safeguarding vulnerable children. For example, fixed-term tenancy reviews may assist in early identification of vulnerable children. We also recognise that having a stable family home improves children's educational achievement. For this reason, we will normally renew a fixed-term tenancy unless there has been a change in the household's circumstances. Furthermore, there are exceptional circumstances when children must be taken into account. For example:

- When a child in the household attends school and a move would have a significant detrimental impact on their educational development

6 (b) Vulnerable adults

We have considered the impact of the Council's fixed-term tenancy proposals on vulnerable adults. There are exceptional circumstances when the Council would renew a fixed-term tenancy, even when the household's circumstances have changed. These include:

- when the Council's Adult Social Care or other colleagues believe the tenant is a vulnerable adult
- The household contains someone with a disability, and moving to another property will not meet their current needs, or
- someone in the household is terminally ill
- when the tenant(s) is employed and a move would have a significant impact on their employment.

PREVENTING DISCRIMINATION

7. If any negative impact is identified, is there a way of eliminating or minimising it to reasonable level? If not, how can the negative impact be justified?

7 (a) Staff

The impact of proposals on staff have been considered, please refer to section 5 above.

7 (b) Community

The impact of the proposals has been considered and is detailed in section 5 above.

PROMOTING EQUALITY

8. How will the activity help the Council fulfil its legal duty to advance equality of opportunity in the way services are provided?

8 (a) Staff

The proposals will have no impact on the Council's current staff.

8 (b) Community

A Communications Strategy is being developed in order to explain the introduction of fixed-term tenancies across all groups in our local communities.

SPECIFIC NEEDS

9. What actions will you be taking in order to maximise positive impact and minimise negative impact from the activity?

9 (a) Staff

The specific needs of staff have been considered and are detailed in section 5.

9 (b) Community

Please refer to section 5 above.

MONITORING AND REVIEW

10. Once implemented, how often do you intend to monitor the actual impact of the activity?

10 (a) Staff

We will monitor the impact on the implementation of fixed-term tenancies through monthly team meetings and 121s and more formally through quarterly review meetings. A formal review will be undertaken in April 2014.

10 (b) Community

Affordable rent levels will be monitored through the nomination arrangements.

The impact of fixed-term tenancies on the community will be monitored and reviewed through monthly performance monitoring operated by the Council's housing management service.

SIGN OFF AND PUBLICATION

- 11. When completed, the Equality Analysis needs to be signed off by the Head of Service. Once signed off, it should be forwarded to the Directorate Equality Analysis Web administrator to publish it on the council's website.**

HEAD OF SERVICE

Name:

Date:

Signature:

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TOWNS & COMMUNITIES OVERVIEW AND SCRUTINY COMMITTEE

Subject Heading:	Parks and Open Spaces Service
CMT Lead:	Cynthia Griffin
Report Author and contact details:	Martin Stanton Parks & Open Spaces Manager Ext 2360
Policy context:	

SUMMARY

This report provides the Overview and Scrutiny Committee with details of the resources and performance levels of the Parks and Open Spaces Section. The report covers the scope of the many aspects of maintenance and tasks undertaken by the service. It provides comparison figures with other providers and details the role of the Friends of Parks in the help they provide in maintaining their local parks.

RECOMMENDATIONS

The Committee is recommended to note the contents of this report.

REPORT DETAIL

BACKGROUND

The Parks and Open Spaces Service provides a range of services that when combined provide the management and maintenance of the parks in Havering. All of these services are required to work together in order to provide a quality park service. These services are delivered through a number of specialist operatives using a wide range of technology and mechanical equipment. The Parks and Open Spaces Service are supported through a network of “Friends” of parks.

The Open Space Service was asked to attend the Overview and Scrutiny following questions from Councillors of the committee, who requested details concerning the frequency of inspections and grounds maintenance tasks such as hedge cutting, litter collection, emptying dog bins and shrub bed maintenance. Further requests were made on issues surrounding lake cleansing programmes, tennis court maintenance and dog problems.

This report looks to place all of these items into the context of the service, whilst providing the detail required by the Councillors. The report does not provide detailed information on individual sites but looks at the resources and service standards being applied to the parks as listed at Appendix 1. Further the report uses information from the London Parks Benchmarking Group to undertake cost analysis of Havering's Grounds Maintenance Service as compared to the other authorities who provided information to the Comparison Project.

SCOPE OF THE SERVICES PROVIDED

The Parks and Open Spaces Service deliver the following services;

- Park Management and administration
- Parks Development
- Grounds Maintenance
- Park Maintenance
- Heritage and Landscapes
- Parks Protection
- Locking and unlocking parks
- Park Event Management
- Parks Projects
- Allotment Management
- Grass Cutting and Shrub Bed Maintenance to Homes in Havering sites
- Grass Cutting to Streetcare sites
- Rural Public Rights of Way Management and Maintenance

The role of each of these services is looked at in detail later in this report.

NB The Parks and Open Spaces Service does not manage trees in parks, this service is managed through Streetcare's Tree Maintenance Team and delivered through a specialist Arboricultural contractor under a corporate tree contract.

THE SITES COVERED BY THE SERVICE

There are 101 parks demographically spread across Havering that are maintained by the service. The sites range from small formal urban gardens and parks to very large country parks. The list of sites maintained by the Parks and Open Spaces Service is detailed in Appendix 1.

RESOURCES USED TO DELIVER THE SERVICES

Budget

The detailed revenue budget for Parks and Open Spaces is at Appendix 2

External Funding

The following schemes have been awarded external funding in 2012.

Raphael Park	Heritage Lottery Fund	£1,700,000
Raphael Park	Veolia	£ 200,000
Raphael Park	Environment Agency	£ 30,000
Langtons Gardens	Heritage Lottery Fund	£ 180,000
Bedfords Park Walled Garden	Big Lottery	£ 270,000
Bedfords Park Walled Garden	Veolia	£ 50,000
Britans Playing Field	Fields in Trust	£ 9,000
Britans Playing Field	Veolia	£ 25,000
Park Lane Recreation Ground	Fields in Trust	£ 9,000
Park Lane Recreation Ground	Veolia	£ 25,000
Total		£ 2,498,000

Comparative Costs

The cost of delivery of grounds maintenance for 16 other local authorities has been detailed in a report by the London Parks and Open Spaces Benchmarking Group. The costs are set out at Appendix 3.

Staffing

There are 85 FTE members of staff and 44 seasonal staff employed by the parks service, who are used to maintain the parks. Full staffing structures are detailed in Appendix 4.

Service Functions and Standards

Park Management and Administration

The senior Park Management are responsible for the organisation and strategic direction of the service. Undertake budget management and coordination and service delivery of the Parks Service.

Parks Protection

The Parks Protection Service is responsible for reducing anti-social activities in the parks and enforcing the bylaws. Thereby ensuring the parks are safe for the public to use.

In 2011 the Parks Protection Service undertook the tasks below.

General Patrols	Public Calls	Byelaw Offences	Verbal Warnings	Written Warnings	Prosecutions	Arrest / Ejections
3700	657	904	214	220	5	1

Emergency Service Partnership Working

Metropolitan Police Service – Safer Neighbourhood Teams

The Parks Protection Service share local intelligence with Romford Police Intelligence Unit and Local Safer Neighbourhood Teams, the partnership between both services is developing and is going from 'Strength to Strength'. Prior to the formation of the Parks Protection Service in 2011, Local Safer Neighbourhood Teams were inundated with members of the public complaining of ASB and various other offences taking place within parks.

London Ambulance Service.

The Parks Protection Service have secured an Automated External Defibrillator (AED) and ongoing training through the London Ambulance Service. All officers are first aid trained and attend regular refresher training. We are currently in the process of developing a partnership approach to medical emergencies that occur within Havering's Parks and Open Spaces by responding to calls for assistance and ensuring that the ambulance service are able to gain access to parks and locate casualties quickly.

London Fire Brigade

The Parks Protection Service responded to 114 reported fires in 2011 across the borough's green spaces. These include unauthorised BBQ's and camp fires. As a result of immediate response and excellent knowledge of the grounds the team were able to respond, locate and extinguish small fires very quickly to prevent an escalation therefore protecting the park environment and park users. This information is shared with the Fire Service.

Locking and unlocking parks

This service is managed through the Parks Protection Service and takes place 365 days of the year in line with the times as set out in the Parks byelaws. In case of people being locked in there is an officer on call through the contact service available until 11pm daily. The Park lockers send a text the Parks and Open Spaces Manager at the end of their shift to confirm all of the parks are locked.

Parks Development

The Parks Development officers undertake monitoring of approximately 10% of works carried out by grounds maintenance, including sports facilities inspections such as tennis courts. The courts at Broxhill Park, Hylands Park and Raphael Park are all maintained by Tennis clubs

The Parks Development Officers organise and co-ordinate repair works, they liaise with the Parks Friends groups, undertake consultations, deliver minor park improvement projects. They annually deliver the Green Flag programme. They undertake Health & Safety checks and deal with public correspondence. They annually undertake the Quality and Value assessment of the parks.

Lake inspection, is carried out during site visits and is shared by Parks Development, Grounds Maintenance and Parks Protection officers where appropriate. The inspection of rivers is carried out by the Environment Agency and a Senior Engineer from Streetcare who is responsible for the maintenance of waterways.

Grounds Maintenance

Undertake all of the tasks to maintain the parks and open spaces

This includes the tasks for which information was requested by the Overview and Scrutiny Panel

Litter and other debris removal such as broken glass

Grass cutting

Tree/bush/hedge pruning

Litter and dog bins collection

Grass Cutting and Shrub Bed Maintenance to Homes in Havering sites

Grass Cutting to Streetcare sites

A more detailed list of the tasks carried out by the grounds maintenance service and the frequency that tasks are undertaken is set out at Appendix 5.

Park Maintenance

The team of two Parks maintenance operatives undertake play equipment checks and repairs, repairs to pathways, gates, fences, signage; benches litter bins, dog bins, repairs and replacement of padlocks. These are specialist multi-tradesmen and have a mobile vehicle specifically adapted to assist them in carrying out their maintenance tasks.

Heritage and Landscapes

The management, maintenance, development and promotion of Havering's historic landscapes buildings and structures. Including; advice on major restoration programmes, the organising of events such as Open House and liaison with many Friends groups who are friends of a historic building or parkland/garden.

Park Event Management

Authorising and letting areas of parks for a wide range of events, from Fair grounds and large fetes to the family fun days, fun runs and private function. Evaluating event risk assessments, negotiating booking fees, liaising with other areas of the council and external agencies that need to know the events are scheduled. Provide the public with advice on booking events.

Parks Projects

Parks Projects are delivered by a number of officers and one consultant who is paid from the project funding. The current list of projects is;

Raphael Park - HLF Stage 2

Langtons Gardens - HLF Stage

Broxhill Park – Development of Sports Park

Bedfords Park Walled Garden – Development of growing area

Projects soon to be set in motion are;

Central Park – Landscaping

Brittans Playing Fields - Play area, outdoor gym, signage and furniture

Park Lane Recreation Ground - Play area, outdoor gym, signage and furniture

Allotment Management

An officer co-ordinates the allotment improvement projects and attends regular meetings with the allotment stewards to discuss their requirements.

Rural Public Rights of Way Management and Maintenance

Arranging for cutting and clearance of Rural Public Rights of Way. Dealing with the many disputes concerning access to the Rural Public Rights of Way.

Friends groups involvement in parks maintenance

Havering parks and Open Spaces has a very good relationship with a large number of Friends groups across the borough. Working with the Friends groups in 2008 Parks Managers pioneered the Official Friends of Parks status which has proved very successful and has strengthened the working relationship between the council and many Friends groups. The Parks Service is still working to develop and improve the working relationships with the Friends groups and to help coordinate the delivery of a number of project and provide support to the groups. The full list of the activities of the Parks Friends groups is at Appendix 6.

Performance Awards 2012

The list of performance awards are at Appendix 7

IMPLICATIONS AND RISKS

Legal implications and risks:

There are no legal implications from this report.

Financial implications and risks:

This report presents a summary of the resources and performance levels for the Parks and Open Spaces. Appendix 2 provides a summary of the service revenue budget. Appendix 3 provides a comparison of spend with some other London authorities. There is no other specific financial comment.

Human Resources implications and risks:

There are no HR implications arising directly as a result of this report.

Equalities implications and risks:

The Council is committed to the personal safety of its residents and officers. All reasonable steps are taken to ensure that these groups (including children and vulnerable adults) are able to use the Borough's parks safely, and criminal offences will be prosecuted wherever possible.

In order to address current equality issues the Parks and Open Spaces Service is are planning new disabled loos at Raphael Park in 2013.

BACKGROUND PAPERS

The London Parks Benchmarking Group Comparison Project 2012

List of Parks and Open Spaces

Appendix 1

A12/Whitelands Way Bund
Abbey Wood Open Space
Bancroft Chase Playsite & Open Space
Bedfords Park
Bretons Outdoor Recreation Centre
Brittons Playing Field
Brookway Playsite
Broxhill Centre
Central Park
Chelmsford Avenue Playsite
Chudleigh Road Open Space
Clockhouse Gardens
Collier Row Green Link
Collier Row Recreation Ground
Cornflower Way Open Space
Coronation Gardens
Cottons Park
Cranham Playing Fields
Dagnam Park
Duck Wood
Elliot Playing Fields
Faringdon Avenue Open Space
Fielders Sports Ground
Fir Wood
Fleet Close
Forest Lodge Site
Gaynes Parkway
Gidea Park Sports Ground
Grenfell Park
Hacton Parkway and Playsite
Hall Lane Mini Golf Course
Harold Wood Park
Harrow Lodge Park
Hatters Wood
Havering Country Park
Havering Playing Field
Havering Village Green
Havering Well Garden
Haynes Park
Hood Walk Playsite
Hornchurch Country Park
Hylands Park
Jutsums Recreation Ground
Keats Avenue Playsite
King Georges Playing Field
Langtons Gardens
Lawns Park
Lessa Sports Ground
Lilliput Road
Lodge Farm Park
Lodge Lane PS
Long Wood
Louis Marchesi Playsite (Maybank)
Mardyke Adventure Playground and Open Space
Myrtle Road Chatteris Avenue Open Space
New Road
Noak Hill Sports Ground
North Hill Recreation Ground
Oldchurch Park
Painsbrook Adventure Playground
Painsbrook Open Space (Paines Meadow)
Painsbrook Way Open Space
Park Lane Recreation Ground
Parklands
Priory Road Open Space
Queens Theatre Grounds
Rainham Creekside Pathway
Rainham Recreation Ground
Raphael Park
Rise Park
Romford Ice Rink
Romford Library Gardens
Rush Green Open Space
Sage Wood
Sheffield Drive Open Space
Shoulder of Mutton Wood
Spring Farm Park
St Andrews Park
St Edwards Church
St Helens & St. Giles Churchyard
St Neots Adventure Playsite
Stirling Close
Stratton Wood
Sunflower Way Flood Lagoon
Suttons Parkway
The Chase
The Dell
The Glen Playsite Rainham
The Glens Elm Park
Tyle Green Open Space
Tylers Common
Upminster Hall Playing Field
Upminster Park
Westlands Playing Field
Whybridge Close
Windmill Field

Appendix 2

Parks and Open Spaces Budget 2012/13

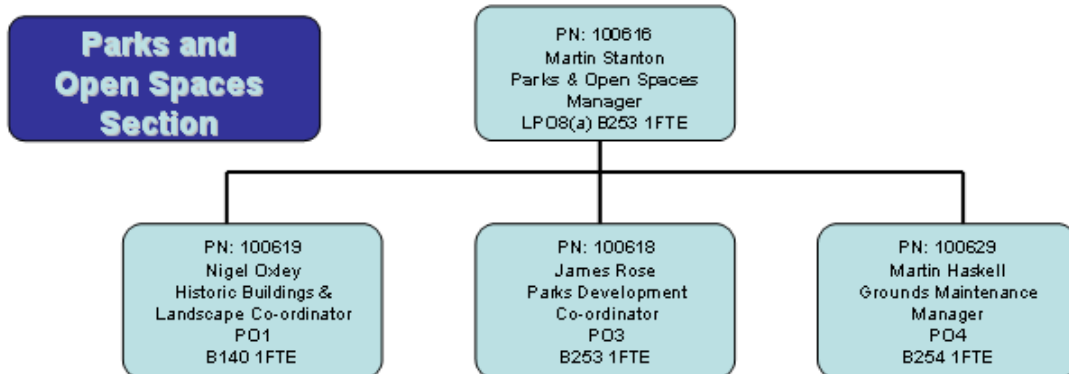
	Budget	Central Recharges	Adjusted Service Budget
Parks Management	£692,240	£459,770	£232,470
Parks Properties	£131,650	£117,700	£13,950
Parks Protection Service	£223,950		£223,950
Parks Maintenance Fitter (Play areas)	£83,170	£19,960	£63,210
Events	£6,970	£5,880	£1,090
Allotments	£9,170	£0	£9,170
Heritage	£107,020	£6,820	£100,200
Countryside Management & PRoW	£234,170	£48,480	£185,690
Grounds Maintenance Management	£157,450	£3,030	£154,420
Grounds Maintenance Parks	£1,654,020	£143,220	£1,510,800
Grounds Maintenance Homes in Havering	£428,040	£17,690	£410,350
Grounds Maintenance Streetcare	£522,040	£12,950	£509,090
Parks and Open Spaces Income	-£284,495	£0	-£284,495
	£3,965,395	£835,500	£3,129,895

Comparisons of Expenditure with other London Authorities

	Cleansing	Security	Horticultural	Sports	Play Facilities	Total	Area of parkland	Spend per Ha	Population	Cost per person per Ha
<i>London</i>	<i>£10,001,508</i>	<i>£8,202,846</i>	<i>£36,124,728</i>	<i>£4,960,910</i>	<i>£2,319,623</i>	<i>£61,609,614</i>			<i>6175104</i>	
<i>Inner London</i>	<i>£7,683,602</i>	<i>£4,972,839</i>	<i>£15,245,864</i>	<i>£1,836,105</i>	<i>£893,237</i>	<i>£30,631,646</i>			<i>2764010</i>	
<i>Outer London</i>	<i>£2,317,906</i>	<i>£3,230,007</i>	<i>£20,878,865</i>	<i>£3,124,805</i>	<i>£1,426,386</i>	<i>£30,977,969</i>			<i>3411094</i>	
City of London (City Gardens)	£16,000	£0	£1,000,000	£0	£32,000	£1,048,000	313	3346	7185	£0.46574
London Borough of Islington	£871,384	£400,486	£579,827	£86,075	£137,265	£2,075,037	1474	1408	175797	£0.00801
London Borough of Bromley	£0	£400,000	£4,500,000	£0	£60,000	£4,960,000	2996	1656	295532	£0.00560
Westminster City Council	£200,000	£350,000	£1,500,000	£0	£60,000	£2,110,000	2219	951	181286	£0.00524
London Borough of Southwark	£627,966	£396,280	£1,381,795	£99,600	£0	£2,505,641	2996	836	244866	£0.00342
London Borough of Lambeth	£924,467	£284,675	£974,256	£133,572	£19,057	£2,336,027	2694	867	266169	£0.00326
Royal Borough of Kingston upon Thames	£0	£0	£1,700,000	£0	£0	£1,700,000	3707	459	147273	£0.00311
London Borough of Wandsworth	£752,230	£0	£1,357,450	£343,070	£0	£2,452,750	3518	697	260380	£0.00268
London Borough of Sutton	£190,000	£0	£1,590,600	£115,000	£93,900	£1,989,500	4354	457	179768	£0.00254
London Borough of Newham	£442,996	£569,218	£693,003	£128,921	£34,232	£1,868,370	3879	482	243891	£0.00198
London Borough of Brent	£27,584	£227,444	£1,458,398	£322,114	£50,000	£2,085,540	4363	478	263464	£0.00181
London Borough of Waltham Forest	£36,251	£479,252	£474,445	£112,817	£211,923	£1,314,688	3892	338	218341	£0.00155
London Borough of Redbridge	£300,000	£90,000	£1,050,000	£100,000	£75,000	£1,615,000	5834	277	238635	£0.00116
London Borough of Bexley	£331,766	£320,000	£588,095	£89,077	£49,529	£1,378,467	6452	214	218307	£0.00098
London Borough of Enfield	£201,000	£50,000	£1,265,000	£275,000	£200,000	£1,991,000	8090	246	273559	£0.00090
London Borough of Havering	£11,722	£120,000	£958,739	£466,658	£67,793	£1,624,912	11969	136	224248	£0.00061
Lee Valley Regional Park Authority	£80,951	£181,600	£585,626	£0	£0	£848,177	0			

All figures supplied from the London Parks Benchmarking Comparison Project 2012

Parks and Open Spaces Staff structure charts January 2012



Appendix 5

A Selection of some of the main Grounds Maintenance Tasks and Frequency of Operation for Parks

Task	Frequency
Litter picking across site	Twice weekly
Hardstanding Sweeping	Twice weekly
Litter bin emptying – high*	Daily
Litter bin emptying – med*	Three times each week
Litter bin emptying - low	Weekly
Dog bin emptying	Weekly
Shrub pruning	Once annually
Hedge cutting – Formal	Three times annually
Hedge cutting – Semi Formal	Twice annually
Hedge cutting informal	Once annually
Shrub bed weeding	Fortnightly March - October
Tree pruning	As and when required
Grass cutting – Fine turf	Three times weekly in growing season
Grass cutting - Sports pitches	Weekly in growing season
Grass cutting – amenity grass	Fortnightly in growing season
Grass cutting - verges	Once every four weeks in growing season
Grass cutting - meadows	Half of meadow cut annually
Opening/Closing park	Daily
Play area inspections	
Independent play area inspections	Annually
Weeding hardstanding	Every four weeks
Rose bed pruning	Spring and autumn
Install annual summer bedding	Annually
Install annual spring bedding	Annually
Winter pitch marking	Weekly (during playing season)
Summer pitch marking	Weekly (during playing season)
Cutting cricket table	Twice weekly
Pest and disease control of fine turf	Four times during the playing season
Grass Edging	Every two weeks
Wild flower meadows	Half of meadow cut annually
Toilet cleaning	Daily or hourly (dependent on day and season)
Check /clean benches	Monthly
Check and remove graffiti	Daily/weekly
Remove epicormic growth	Annually

* Frequency can become weekly during the winter

NB There are parks that have frequencies of maintenance at variance to those listed above for a number of reasons that are specific to individual sites.

Appendix 6: The Friends of Parks Activities

Park	Official Friends Status 2012	Year Formed	Achievements	Aims for potential projects
Friends of Cottons Park	Yes	2002	Obtained funding for park improvements for playsite and signage through Annual family funday	More skate equipment, community garden and events
Friends of Dagnam Park		2003	Regular litter picking event	Fencing and signs. Community events.
Friends of King Georges Playing Field	Yes	2004	New Riverside path	Funding for small events. New footpath construction. Refurbishment of toilets
Hylands Park Action Group	Yes	2004	None	Small community events. Park furniture improvements
Harrow Lodge Conservation Group	No	2000	Regular working groups in around lake Previous contact with Veolia for lake improvements.	Funding for de-silting of lakes and other improvements to lake.
Friends of Bedfords Park	Yes	2004	Regular practical work parties	For improvements to the redundant historic Walled Garden and possibly re open the area as a community/educational resource
Friends of Clockhouse Gardens	No	2004	Veolia, Awards For All funding achieved for landscaping, story telling area and duck feeding area	New and refurbishment works in the Gardens Planting of more shrubs and flowering plants
Friends of Raphael Park and Lodge Farm Park	Yes	2004	Assistance with Green Flag. Regular litter picking event. Annual Family Fun Day	Work with Council to develop HLF bid for Raphael
Friends of Langtons Gardens	Yes	2006	Working groups in gardens. Fund raising through events.	Raising funding for restoration and new works in the Gardens

Park	Official Friends Status 2012	Year Formed	Achievements	Aims for potential projects
Friends of Harold Wood Parks	Yes	2005	Assistance with consultation with play area, ball court and various green flag improvements. Funded equipment at Painsbrook. Bulb and shrub planting	GP to update
Friends of Upminster Park	Yes	2006	Frequent gm assistance – litter picking, weeding & planting. Organised bulb planting and fun-day	Crazy golf course!
Friends of St Andrews Park	Yes	2006	Litter picking. Liaison with local school to design logo. New gates design Annual family funday	Improved landscape and security.
Friends of Havering Country Park	Yes	2007	Regular work parties, organised bat walks, fundraising through events. Grassroots funding for refurbishing pond and installing furniture	Improved maintenance and security, reduce anti-social behaviour, more park furniture,
Friends of Lawns Park	Yes	2006	Litter Picking Assisting with development of play site and ball court	Work with Council for Green Flag works
Friends of Rise Park	No	2010		
Elizabeth Road Tenants Association (Brookway)	No	2000		
Havering atte Bower Conservation Society		2008	Bulb Planting and Horsemans Sunday event	Install new village sign

Performance Awards 2012

Customer Satisfaction Rating

In 2012 the Parks and Open Spaces Service has a Customer satisfaction rating of 72%. This figure has been steadily increasing year on year for the last 5 years.

Green Flag Award 2012

The Parks and Open Spaces Service retained the eight Green Flags that were awarded for

- Bedfords Park
- Cottons Park
- Harrow Lodge Park
- Hylands Park
- Lawns Park
- Lodge Farm Park
- St Andrews Park
- Upminster Park

London in Bloom 2012

London in Bloom 2012, Havering's Parks were awarded the following

London City Award (We have only reached Silver in the past 4 years)		Silver Gilt Award
Country Park of The Year	Hornchurch Country Park	Gold Award
Large Park of The Year	Bedford's Park	Gold Award
Park of The Year	Lodge Farm Park	Silver Gilt Award
Small Park of The Year (Silver last year)	Langton's Gardens	Silver Gilt Award
London in Bloom Biodiversity Award		1st place (second year running)
London in Bloom Allotment Award		2nd place

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