



Haverling

LONDON BOROUGH

TOWNS & COMMUNITIES OVERVIEW & SCRUTINY SUB-COMMITTEE AGENDA

7.00 pm

Tuesday
9 February 2021

Town Hall, Main Road,
Romford

Members 9: Quorum 4

COUNCILLORS:

**Conservative Group
(4)**

Robby Misir (Vice-Chair)
Timothy Ryan
Carol Smith
Ray Best (Chairman)

**Residents' Group
(2)**

Paul Middleton
Gerry O'Sullivan

**Upminster & Cranham
Residents' Group
(1)**

Christopher Wilkins

**Independent
Residents' Group
(1)**

Tony Durdin

Labour Group (1)

Keith Darvill

**For information about the meeting please contact:
Richard Cursons 01708 432430
richard.cursons@onesource.co.uk**

Protocol for members of the public wishing to report on meetings of the London Borough of Havering

Members of the public are entitled to report on meetings of Council, Committees and Cabinet, except in circumstances where the public have been excluded as permitted by law.

Reporting means:-

- filming, photographing or making an audio recording of the proceedings of the meeting;
- using any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later; or
- reporting or providing commentary on proceedings at a meeting, orally or in writing, so that the report or commentary is available as the meeting takes place or later if the person is not present.

Anyone present at a meeting as it takes place is not permitted to carry out an oral commentary or report. This is to prevent the business of the meeting being disrupted.

Anyone attending a meeting is asked to advise Democratic Services staff on 01708 433076 that they wish to report on the meeting and how they wish to do so. This is to enable employees to guide anyone choosing to report on proceedings to an appropriate place from which to be able to report effectively.

Members of the public are asked to remain seated throughout the meeting as standing up and walking around could distract from the business in hand.

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 sub-committee has its own remit as set out in the terms of reference but they each meet to consider issues of local importance.

The sub-committees 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 to the public.

The sub-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. These are considered by the Overview

and Scrutiny Board and if approved, submitted for a response to Council, Cabinet and other relevant bodies.

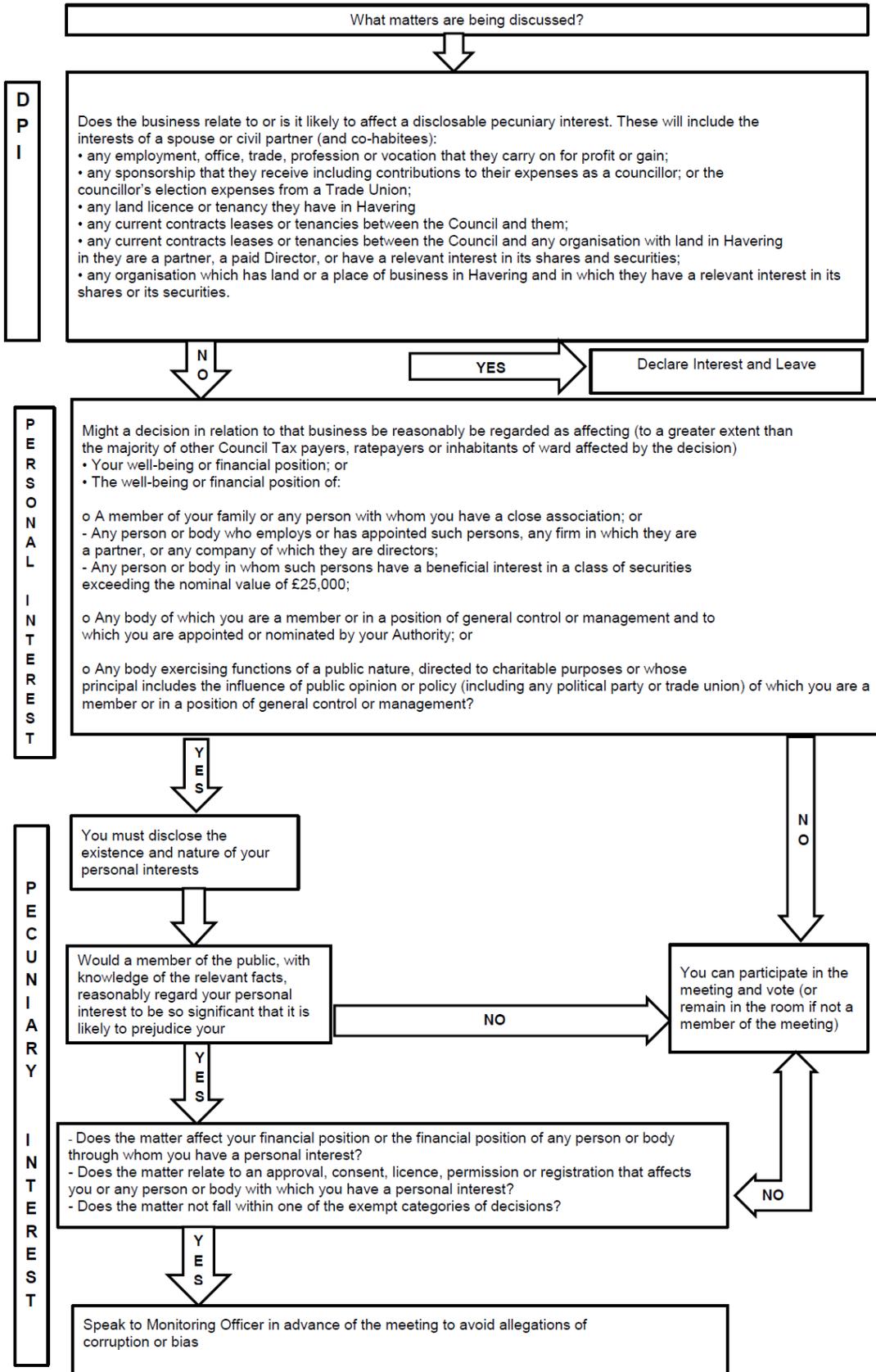
Sub-Committees will often establish Topic Groups to examine specific areas in much greater detail. These groups consist of a number of Members and the review period can last for anything from a few weeks to a year or more to allow the Members to comprehensively examine an issue through interviewing expert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

DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF



AGENDA ITEMS

1 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS

(if any) - receive.

2 DECLARATION OF INTERESTS

Members are invited to declare any interests 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 PROTOCOL FOR VIRTUAL MEETINGS (Pages 1 - 4)

Protocol attached.

5 MINUTES (Pages 5 - 10)

To approve as a correct record the minutes of the meetings of 16th December 2020 and to authorise the Chairman to sign them.

6 HOUSING ALLOCATION SCHEME (Pages 11 - 84)

Report and appendices attached.

7 QUARTER 3 PERFORMANCE REPORT (Pages 85 - 106)

Report and appendix attached.

8 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.

Andrew Beesley
Head of Democratic Services

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LONDON BOROUGH OF HAVERING

PROTOCOL ON THE OPERATION OF OVERVIEW & SCRUTINY SUB- COMMITTEE MEETINGS DURING THE COVID-19 PANDEMIC RESTRICTIONS

1. Introduction

In accordance with the Local Authority and Police Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panels Meetings (England and Wales) Regulations 2020, all meetings of Overview & Scrutiny Sub- Committee held during the Covid-19 restrictions will take place in a 'virtual' format. This document aims to give details on how the meetings will take place and establish some rules of procedure to ensure that all parties find the meetings productive.

2. Notification of Meeting

Once the date for a meeting has been set, an electronic appointment will be sent to all relevant parties. This will include a link to access the virtual meeting as well as guidance on the use of the technology involved.

3. Format

For the duration of the Covid-19 restrictions period, Overview & Scrutiny Sub- Committee meetings will be delivered through video conference call, using Zoom software. Instructions sent with meeting appointments will cover how to use the software. Additional IT support will also be provided to any Member requesting this in advance of the meeting.

4. Structure of the Meeting

Although held in a virtual format, Overview & Scrutiny Sub-Committee Meeting will follow, as far as is possible, the standard procedure for these meetings, with the following principal stages:

- Chairman's announcements
- Apologies for absence
- Disclosures of interest
- Minutes of the previous meeting
- Presentation and consideration of reports

5. Technology Issues

Agendas setting out the items for the meeting will be issued in advance in the normal way, to all parties, in accordance with statutory timetables. The agenda will also be published on the Council's website – www.havering.gov.uk in the normal way. The guidance below explains how the meeting is to be conducted, including advice on what to do if participants cannot hear the speaker and etiquette of participants during the meeting.

Remote access for members of the public together with access for the Press will be provided via a webcast of the meeting at www.havering.gov.uk.

If the Chairman is made aware that the meeting is not accessible to the public through remote means, due to any technological or other failure of provision, then the Chairman shall temporarily adjourn the meeting immediately. If the provision of access through remote means cannot be restored within a reasonable period as determined by the Chairman in consultation with the Clerk, then the remaining business will be considered at a time and date fixed by the Chairman. If he or she does not fix a date, the remaining business will be considered at the next scheduled ordinary meeting of the Overview & Scrutiny Sub-Committee.

6. Management of Remote Meetings for Members

The attendance of Members at the meeting will be recorded by the Democratic Services Officer clerking the meeting. The normal quorum requirements for meetings as set out in the Council's Constitution will also apply to a virtual meeting of Audit Committee.

Democratic Services Officers will monitor participant involvement during the virtual call to ensure that there are no drop outs. Members will be informed at the beginning of the meeting to use the chat function if they have missed part of the debate, and to request for the clerk or Chairman to recap briefly over what was said.

In the event that a Member's video feed has failed but he/she is able to hear what is being said then the Member should confirm as such using the chat function to the clerk.

In the event that a Member's audio and video feed has failed then the Chairman will invite the Committee to determine whether to proceed or adjourn the meeting to a later date.

7. Etiquette at the meeting

For some participants, this will be their first virtual meeting. In order to make the hearing productive for everyone, the following rules must be adhered to and etiquette observed:

- The meeting will be presided over by the Chairman who will invite participants to speak individually at appropriate points. All other participants must remain silent or muted until invited to speak by the Chairman;
- If invited to contribute, participants should make their statement, then wait until invited to speak again if required;
- If it is possible, participants should find a quiet location to participate in the Zoom meeting where they will not be disturbed as background noise can affect participants.
- If there are intermittent technological faults during the meeting then the Chairman will ask the speaker to repeat from the point where the disruption started. Whilst intermittent disruption is frustrating, it is important that all participants remain professional and courteous.
- The Committee Procedure Rules as shown in the Council's Constitution will apply to the meeting in the normal way, as far as is practicable.

8. Meeting Procedures

Democratic Services Officers will facilitate the meeting. Their role will be to control

conferencing technology employed for remote access and attendance and to administer Member interaction, engagement and connections on the instruction of the Chairman.

The Council has put in place a technological solution that will enable Members participating in meetings remotely to indicate their wish to speak via this solution. This will be via the 'raise hand' function in the Participants field of the Zoom software used for the meeting.

The Chairman will follow the rules set out in the Council's Constitution when determining who may speak, as well as the order and priority of speakers and the content and length of speeches in the normal way.

The Chairman, at the beginning of the meeting, will make reference to the protocol for the meeting.

Members are asked to adhere to the following etiquette during remote attendance at the meeting:

- All Councillors and participating officers are asked to join the meeting no later than twenty minutes before the start to allow themselves and Democratic Services Officers the opportunity to test the equipment.
- Any camera (video-feed) should show a non-descript background or, where possible, a virtual background relating to Havering and Members should be careful to not allow any exempt or confidential papers to be seen in the video-feed.
- During general discussion, rather than raising one's hand or rising to be recognised or to speak, Members attending remotely should avail themselves of the remote process for requesting to be heard and use the 'raise hand' function in the participants field of the Zoom software.
- Members may only speak when invited to by the Chairman of the meeting.
- Only one person may speak at any one time.
- All speakers and attendees, both Councillors and members of the public, are welcome to remain on the Zoom call until the conclusion of the meeting. The meeting will also be webcast so that it can be viewed by non-participants.
- When referring to a specific report, agenda page, or slide, participants should mention the report, page number, or slide so that all Members have a clear understanding of what is being discussed at all times

Any voting will be conducted by the Clerk asking Members individually of their voting intentions The Democratic Services Officer will announce the result of the vote and the Chairman will then move on to the next agenda item.

A record of votes and how individual Members voted will be appended to the minutes, following the meeting.

Any Member participating in a remote meeting who declares a disclosable pecuniary interest, or other declarable interest, in any item of business that would normally require them to leave the room, must also leave the remote meeting. The Democratic Services Officer or meeting facilitator will move the Member to the Zoom waiting room until the item is complete, and then return them to the meeting.

9. Public Access to Meeting Documentation following the Meeting

Members of the public may access minutes, decision notices and other relevant documents

through the Council's website. www.havering.gov.uk

For any further information on the meeting, please contact
richard.cursons@onesource.co.uk, tel: 01708 432430

**MINUTES OF A MEETING OF THE
TOWNS & COMMUNITIES OVERVIEW & SCRUTINY SUB- COMMITTEE
Virtual Meeting
16 December 2020 (5.00 - 7.00 pm)**

Present:

Councillors Ray Best (Chairman), +John Crowder, Timothy Ryan, Carol Smith, Keith Darvill, Paul Middleton, Gerry O'Sullivan and Christopher Wilkins

Apologies for absence were received from Councillor Robby Misir.
+Councillor John Crowder substituted for Councillor Misir.

It was noted that Councillor Tony Durdin was absent

22 DECLARATION OF INTERESTS

There were no disclosures of interest.

23 PROTOCOL ON THE OPERATION OF OVERVIEW & SCRUTINY SUB COMMITTEE

The Sub-Committee noted the protocol on the operation of meetings during the Covid 19 pandemic restrictions.

24 MINUTES

The minutes of the meeting held on 22 September 2020 were agreed as a correct record and would be signed by the Chairman at a later date.

A Member sought a response to a discussion and submission relating to Housing licensing arrangements that was debated by the sub-committee. This would be raised with the appropriate officers.

25 HOUSING STRATEGY

The report before Members sought the input of the sub-committee in the vision and draft objectives of the proposed Housing Strategy and plans for consultation with a proposed timetable.

It was stated that the current housing strategy covered a successful period of delivering valuable services to residents but it was now recognised that a strategy was required to take into account the ever-changing environment.

The Sub-Committee noted that the council like many local authorities, faces huge challenges not only in housing but also in social care, health and other public services. The challenge was more demanding taking into account the potential impact on the Council from the covid-19 pandemic.

The report informed that the council was committed to tackling the 'Housing Crisis' both in providing the much needed new affordable homes for local people and supporting vulnerable members of society acquiring a home proud to live in.

Officers stated that building new homes remains a high priority to meet the needs of the fast growing population in Havering. The Council was taking pro-active approach to housing delivery, as it recognises the importance of ensuring that there was affordable homes for local people.

The council was working with partners to build new homes, with an ambitious 12 estates regeneration programme across existing council estates to revitalise Havering's Housing and investing in building new communities.

In response to the definition of affordable homes for first time buyer. The sub-committee was informed that affordable homes would mean different things to an individual.

Members were informed that the proposal was for the council to deliver a new Housing Strategy for the 5-year period 2021–26. The strategy would form part of a joined up approach to tackling the housing challenges for all residents of Havering.

A member welcomed the joined up approach for a borough wide strategy to deliver homes.

The sub-committee whilst welcoming the strategy sought details on infrastructure for all the proposed new homes. In response members were informed that due diligence was been undertaken as part of pre application presentation for each housing development.

The report detailed that the underpinning principle to the new Housing Strategy remain a commitment to a borough that is Cleaner, Safer, Prouder, Together.

Members noted that a presentation on the draft vision and objectives for the Housing Strategy was made to Senior Leadership Team, Housing Resident Participation Panel, Councillors and the Health & Wellbeing Board.

Following these consultations, some amendments were made to the original draft objectives and this now formed the basis for a further consultation with other stakeholders and residents between December to February 2021.

Officers were seeking the involvement of the sub-committee in the ongoing consultation. A link to the consultation would be circulated to the sub-committee.

A Member suggested that provision of social infrastructure to supplement the new build be considered as a selling point.

A Member was of the opinion that the housing strategy should give priority to key workers and ex-service personal in the allocation of the new homes. In response officers encouraged members of the sub-committee to comment on the ongoing consultation.

The sub-committee noted the presentation.

26 **OVERVIEW & SCRUTINY BRIEFING PLANNING UPDATE**

The Assistant Director Planning delivered a presentation to the sub-committee that outlined the key proposals and changes to the planning system that have come forward in 2020.

The presentation outlined the following changes to planning legislation since 2020:

In March an amendment allowed a change of use from restaurants and cafes and drinking establishments (A3 and A4 uses) to a temporary use for the provision of takeaway food. Permitted development rights relating to takeaways.

Members noted that the amendment was in response to the Covid19 pandemic and the restrictions placed on these businesses during lockdown and would apply until to 23 March 2022.

In April an amendment introduced permitted development rights relating to emergency development allowing local authorities and certain health bodies to carry out development of facilities required in undertaking their roles in response to the spread of coronavirus.

The Sub-Committee was informed that in August 2020, the government made a number of amendments to permitted development rights to allow development that assisted in supporting the Government's economic renewal package following the Covid19 outbreak. The amendments included:

- Enabling a local authority to hold a market for an unlimited number of days until 23rd March 2021.
- Temporary permission for local authorities to use any land for holding a market until March 2022
- Permanent permitted development right to allow additional storeys to be constructed on existing purpose-built blocks of flats to create new homes, subject to prior approval.
- Requiring new homes delivered through permitted development rights to provide adequate natural light for the occupants.

The changes also included a Business and Planning Act that was aimed to restart the economy in response to the pandemic and introducing a range of

new measures to help businesses to quickly adjust and adapt to changing circumstances.

It was also stated that since August 2020, Permitted Development rights relating to upward extensions was introduced which allowed detached, semi-detached or in a terrace to be extended upwards to provide additional living space by constructing additional storeys, subject to prior approval.

Members noted that there was also changes to the Permitted Development relating to demolitions since August 2020. This amendment allows for demolition of single detached buildings and the construction of new dwelling houses in their place, subject to prior approval.

In September, amendments were made that allowed changes to the use of classes, introducing three new use classes with the aim of supporting economic renewal and help businesses adapt to changing circumstances.

In November further amendments were made that removed permitted development rights relating to demolition. This explained that the demolition of any building used as a concert hall, venue for live music performance or theatre was no longer classed as permitted development. This permanent change is to protect these venues, preventing their unnecessary loss as a result of having to close due to the Covid19 pandemic.

The Sub-Committee was informed that from 6 April 2021 an amendment that allows dwellings delivered by permitted development rights meeting the nationally described space standard would be introduced. The standard sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling heights.

Members noted the update.

27 **WORK PROGRAMME**

The Sub-Committee agreed to receive updates on the Housing Allocation Policy and Planning & Building Control performance at future meetings.

Chairman

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Towns and Communities OSSC COMMITTEE

| | |
|---|---|
| Subject Heading: | Housing Allocation Scheme 2021 |
| SLT Lead: | Patrick Odling-Smee, Director of Housing |
| Report Author and contact details: | Darren Alexander 01708 433751 Darren.Alexander@havering.gov.uk , Joe Agius 01708 434046 joe.agius@havering.gov.uk |
| Policy context: | a) Consult on a comprehensive revision of the Council's Housing Allocation Scheme (2016) to ensure that all available Council housing is allocated consistently and fairly, in compliance with all current legislative and regulatory requirements. (b) This policy also takes into account the impact of COVID 19 on all affected stakeholders. |
| Financial summary: | It is anticipated that some minor costs will be incurred, as a result of implementing this policy, but they will be funded from existing budgets. |

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

| | |
|-------------------------------|-----|
| Communities making Havering | [x] |
| Places making Havering | [x] |
| Opportunities making Havering | [] |
| Connections making Havering | [] |

SUMMARY

The Housing Act 1996 Part VI requires local authorities to give reasonable preference in the way they allocate their available social housing.

Demand for social housing in Havering significantly exceeds the number of properties available. In the financial year 2019-2020, only two in every 10 households on the Council's Housing Register had a realistic prospect of securing social housing.

This draft policy proposes a number of revisions to the current policy (dated 2016) and sets out how social housing is prioritised, to ensure that it is fairly allocated to households in the greatest need. Prior to being implemented we are required to carry out a statutory consultation.

It also sets out how the Council will enable access to other forms of affordable housing, such as shared ownership and intermediate rented housing.

RECOMMENDATIONS

Towns & Communities is asked to agree the statutory consultation on the draft Housing Allocation Scheme attached as appendix 1.

REPORT DETAIL

Allocation Scheme Aims

The aims of the revised Allocations Scheme are to:

- ensure that we make the best possible use of the social housing stock;
- provide housing that is suitable to the specific needs and requirements of households;
- prioritise households that have been assessed to be in most need and to those who make a positive contribution to our community;
- help build sustainable communities and neighbourhoods, and

- ensure social and affordable housing is allocated in a clear, fair and transparent manner.

Consultation

The Housing Act 1996 Part VI requires significant changes to the housing allocation scheme to be consulted on with stakeholders and housing applicants. Following the authorisation of this draft scheme a formal consultation will commence. This will consist of:

- The draft policy and questionnaire being available on the council consultation portal;
- Draft questionnaire will be sent to key stakeholders such as housing association, neighbouring boroughs and voluntary sector organisations. See appendix 3.

The outcome of the consultation will be reported to Cabinet with recommendations for the adoption of the formal allocation scheme in April 2021.

IMPLICATIONS AND RISKS

Financial implications and risks:

It is anticipated that some minor costs will be incurred, as a result of implementing this policy, but they will be funded from existing budgets.

Legal implications and risks:

Pursuant to Section 166A of the Housing Act 1996, every local authority must have an allocation scheme and must not allocate housing accommodation except on accordance with the allocation scheme. The allocation scheme must include the procedure for allocation of accommodation as well as the persons or description of persons by whom decisions are made.

- Public Sector Equalities Duty

The proposed changes relating to the residency requirement, income threshold and savings limit are changes that are open to the Council to make. In deciding whether to implement the proposed changes, the Council is required to undertake an Equality Impact Assessment and consider the impact each of the proposed changes would have on persons with protected characteristics. This should be done with a view to eliminating any potential unlawful discrimination. The draft Equality and Health Impact Assessment (EqHIA) attached to this report needs to be developed to include further information relating to the impact of the proposed changes.

The relevant legal framework for this exercise is set out in Section 149 of the Equality Act 2010 and known as the Public Sector Equality Duty (PSED).

- Reasonable preference groups and the current reduced priority banding

It is a legal requirement under Section 166 A (3) of the Housing Act 1996 to ensure that 'reasonable preference' is given to persons falling within that section.

This section includes those who are homeless within the meaning of Part 7 of the Housing Act 1996, and not just those who are owed the full housing duty.

Established case law supports the position that an allocation scheme should not seek to exclude groups of people within the reasonable preference categories.

This Report stipulates that "applicants previously placed under the Reduced Priority banding will no longer qualify for social housing". It is therefore important to ensure that those previously placed in the Reduced Priority band do not include persons who would fall within the 'reasonable preference' categories.

- Consultation, legitimate expectation and due regard to existing policies

When considering the proposed changes, the Council is required to have regard to its internal policies, including the Homelessness Strategy and Tenancy Strategy. The Council is also required to have regard to the London Housing Strategy. The legal framework for this requirement is outlined below.

Section 166 A (12) for the Housing Act 1996 provides that:-

A local housing authority in England must, in preparing or modifying their allocation scheme, 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.

Prior to making the proposed changes, the council should consult with stakeholders and those who could be affected by the proposed changes. Additionally, the Council has a statutory duty to consult with every private registered provider of social housing and registered social landlord as well as its secure tenants. The form of consultation should be inclusive and robust to ensure that the duty to consult is satisfied.

The relevant statutory framework is outlined below:

Section 166 A (13) of the Housing Act 1996.

Before adopting an allocation scheme, or making an alteration to their scheme reflecting a major change of policy, a local housing authority in England must—

- (a) send a copy of the draft scheme, or proposed alteration, to every private registered provider of social housing and registered social landlord with which they have nomination arrangements (see section 159(4)), and
 - (b) afford those persons a reasonable opportunity to comment on the proposals.
- (14) A local housing authority in England shall not allocate housing accommodation except in accordance with their allocation scheme.

Section 105 of the Housing Act 1985

Consultation on matters of housing management.

(1) A landlord authority shall maintain such arrangements as it considers appropriate to enable those of its secure tenants who are likely to be substantially affected by a matter of housing management to which this section applies—

- (a) to be informed of the authority's proposals in respect of the matter, and
 - (b) to make their views known to the authority within a specified period;
- and the authority shall, before making any decision on the matter, consider any representations made to it in accordance with those arrangements

In addition to the above, the Council required to consult with those who would reasonably expect to be consulted. The Council should check and ensure that all those who were consulted when the 2016 allocation scheme was implemented (or when any previous amendments to the council's allocation scheme were made) are consulted also.

The Council is required to take into consideration all of the information received from the consultation exercise when deciding whether to implement the proposed changes. It would be unlawful to fail to do so.

- **Part 6 Final Offer to Part 7 homeless applicants**

Where an offer of accommodation under the Council's allocation scheme is made on the basis that a refusal would end the duties under homelessness legislation, the council must comply with the requirements of section 193 of the Housing Act 1996 which outlines the format for such an offer.

Human Resources implications and risks:

The recommendations made in this report do not give rise to any identifiable HR risks or implications that would affect either the Council or its workforce.

Julian Sivil – HR Business Partner

Equalities implications and risks:

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have 'due regard' to:

- (i) The need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) The need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) Foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are age, disability, gender reassignment, marriage and civil partnerships, pregnancy and maternity, race, religion or belief, sex/gender, and sexual orientation.

The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.

Jerry Haley – Senior Community Development & Resilience Officer

The necessary Equality and Health Impact Assessment (EqHIA) is attached (please see appendix 2).

Housing Allocations Scheme 2021

Summary and purpose

We are reviewing Havering's Housing Allocations Scheme and need your help. Social housing is provided by social landlords – generally, local authorities or housing associations.

Demand for social housing in Havering significantly exceeds the number of properties available. In the financial year 2019-2020, only two in every 10 households on the housing register had a realistic prospect of securing social housing.

The Allocations Scheme sets out how the Council will prioritise access to the available housing in line with legislation and for the benefit of Havering residents. The Council Housing Demand service has recently published our new Prevention of Homelessness and Rough Sleeping Strategy 2020-2025 that makes our commitment to tackle homelessness and end rough sleeping by 2024. Havering are committed to advising and helping those who approach us in times of difficulty when they are at risk of homelessness or are already homeless.

The Housing Allocations Scheme applies to all new applicants, including homeless households, and to existing tenants transferring from one property to another. The purpose of this scheme is to clearly explain how Havering Council decides how available social housing is allocated and how we assess applications to the Housing Register.

It sets out the Council's eligibility, qualifying, and housing need criteria to ensure priority is fairly assigned and allocated to households in the greatest need. It also sets out how the Council will enable access to other forms of affordable housing such as shared ownership and intermediate rented housing.

The aims of the revised Allocations Scheme are to:

- ensure that we make the best possible use of the social housing stock;
- provide housing that is suitable to the specific needs and requirements of households;
- prioritise households that have been assessed to be in most need and to those who make a positive contribution to our community;
- help build sustainable communities and neighbourhoods, and
- ensure social and affordable housing is allocated in a clear, fair and transparent manner.

This consultation seeks to determine if these are appropriate aims and if the proposed new allocation scheme meets these aims.

We value your knowledge and input, as residents, tenants, partners and staff of Havering; you know better than anyone how important it is that the Council's Housing Allocations scheme is fair and transparent.

We therefore welcome your comments and feedback. This consultation will be your opportunity to tell us your opinion on our proposed changes.

Please ensure feedback is provided by completing this consultation questionnaire before (Date?).

Why We Are Consulting?

We are consulting because seeking views on what you think of our proposed changes, or receiving information about how the proposals might affect you or someone you know, is really important in making sure that we have taken important evidence on board before making a final decision.

Consultation instructions:

Please place an X beside your selected answers as appropriate.

About you

1. What is your name?

| | |
|------|--|
| Name | |
|------|--|

2. What is your email address?

| | |
|-------|--|
| Email | |
|-------|--|

3. What is your contact phone number?

| | |
|-------|--|
| Phone | |
|-------|--|

3. Which of the following applies to you?

| | |
|--|--|
| Council tenant | |
| Private renter | |
| Homeowner | |
| Private Landlord | |
| Letting agent | |
| Housing Association | |
| Third sector charity / voluntary organisation | |
| Supported accommodation provider | |
| Statutory organisation (i.e. NHS, NELFT) | |
| Other public sector | |
| Business | |
| Other (If other, please specify) | |

Please note: Please indicate here if you do NOT wish us to retain your contact details for further consultation and feedback purposes.

Question 1

Our Aim: The Council is seeking to make best use of the social housing stock.

The Council has just over 1,000 households in temporary accommodation and approximately 2,000 households waiting for a Council property. Although the demand is highest for two and three bedroom homes there is a special focus on specialist supported accommodation. We also have increasing demand for genuinely affordable homes, as the local housing allowance is currently 35% below the cost for renting a private home in Havering.

Do you agree with this aim to make best use of social housing stock?

| | |
|--|--|
| Yes | |
| No | |
| Don't know or can't say | |
| Please use this space to add your comments | |
| | |

Question 2

Our Aim: Provide housing that is suitable to the specific needs and requirements of households.

Has this aim been achieved through the proposed allocations scheme?

| | |
|--|--|
| Yes | |
| No | |
| Don't know or can't say | |
| Please use this space to add your comments | |
| | |

Question 3

Our aim: Prioritise households that have been assessed to be in most need and to those who make a positive contribution to our community.

Has this aim been achieved through the proposed allocations scheme?

| | |
|--|--|
| Yes | |
| No | |
| Don't know or can't say | |
| Please use this space to add your comments | |
| | |

Question 4

Our Aim: Help build sustainable communities and neighbourhoods.

Has this aim been achieved through the proposed Allocations scheme?

| | |
|--|--|
| Yes | |
| No | |
| Don't know or can't say | |
| Please use this space to add your comments | |
| | |

Question 5

Our Aim: Ensure social and affordable housing is allocated in a clear, fair and transparent manner.

Has this aim been achieved through the proposed allocations scheme?

| | |
|--|--|
| Yes | |
| No | |
| Don't know or can't say | |
| Please use this space to add your comments | |
| | |

Question 6

Is there anything else you would like to add relating to the above proposed Allocations Scheme?

| | |
|--|--|
| Please use this space to add your comments | |
| | |

Consultation guidelines

We are interested to hear if you agree with the aims of the allocations scheme and the amendments we have proposed.

Please indicate why you agree or disagree. We welcome any further comments or suggestions you wish for us to consider implementing as part of this work. Thank you in advance for being part of this consultation.

Do you have any further comments or suggestions?

Please use this space to add your comments

| |
|--|
| |
|--|

Housing Allocation policy

Equality and Health Impact Assessment (EqHIA)

Document control

| | |
|-----------------------------------|--|
| Title of activity: | Housing Allocation policy |
| Lead officer: | Darren Alexander, Assistant Director Housing Demand |
| Approved by: | Patrick Odling-Smee, Director of Housing |
| Authors: | Kwabena Obiri, Housing Choice & Applications Manager, Joe Agius, Strategy & Policy Officer |
| Date completed: | 27/11/2020 |
| Scheduled date for review: | October, 2021 |

| | |
|---|----|
| Did you seek advice from the Corporate Policy & Diversity team? | |
| Did you seek advice from the Public Health team? | |
| Does the EqHIA contain any confidential or exempt information that would prevent you publishing it on the Council's website? | No |

1. Equality & Health Impact Assessment checklist

About your activity

| | | | | |
|----|--|---|---|--|
| 1 | Title of activity | Housing Allocation policy | | |
| 2 | Type of activity | Policy Housing lettings | | |
| 3 | Scope of activity | <p>This policy applies to new applicants, (including homeless households), and to existing tenants transferring from one property to another.</p> <p>The Housing Act 1996, (as amended by the Homelessness Act 2002, the Localism Act 2011 and the Homelessness Reduction Act 2017), requires local authorities to make all housing allocations and nominations in accordance with a Housing Allocation policy.</p> <p>A summary of this Housing Allocation policy must be published and made available free of charge to any person who asks for a copy.</p> | | |
| 4a | Are you changing, introducing a new, or removing a service, policy, strategy or function? | Yes | If the answer to <u>any</u> of these questions is 'YES', please continue to question 5 . | If the answer to <u>all</u> of the questions (4a, 4b & 4c) is 'NO', please go to question 6 . |
| 4b | Does this activity have the potential to impact (either positively or negatively) upon people (9 protected characteristics)? | Yes | | |
| 4c | Does the activity have the potential to impact (either positively or negatively) upon any factors which determine people's health and wellbeing? | Yes | | |

| | |
|---------------|---|
| Completed by: | Kwabena Obiri, Choice and Allocations Manager Joe Agius, Strategy & Policy Officer |
| Date: | 27/11/2020 |
| | |

How this policy will impact on people?

Background

Social housing is provided by social landlords – generally, local authorities or housing associations. However, it has been clear for some time that housing supply is not keeping up with demand. Affordable housing however is broader and includes all housing that has received a public subsidy or grant in its development.

Demand for social housing in Havering significantly exceeds the number of properties available. In the financial year 2019-2020, only two in every 10 households on the housing register had a realistic prospect of getting social housing. This policy sets out how the Council will prioritise access to the available housing.

Purpose of this policy

The Housing Act 1996 Part VI requires local authorities to give reasonable preference in the way they allocate their available social housing.

The purpose of this policy is to clearly explain how Havering Council, (“the Council”), decides how available social housing is allocated. It sets out the Council’s eligibility, qualifying and housing need criteria to ensure priority is fairly assigned and allocated to households in the greatest need. It also sets out how the Council will enable access to other forms of affordable housing such as shared ownership and intermediate rented housing.

Aims of this policy

The aims of this policy are to:

- ensure that we make the best possible use of the social housing stock;
- provide housing that is suitable to the specific needs and requirements of households;
- prioritise households that have been assessed to be in most need and to those who make a positive contribution to our community;
- help build sustainable communities and neighbourhoods, and
- ensure social and affordable housing is allocated in a clear, fair and transparent manner.

Scope of this policy

This policy applies to new applicants, (including homeless households), and to existing tenants transferring from one property to another.

The Housing Act 1996, (as amended by the Homelessness Act 2002, the Localism Act 2011 and the Homelessness Reduction Act 2017), requires local authorities to make all allocations and nominations in accordance with an Allocation Scheme. A summary of the Allocations Scheme must be published and made available free of charge to any person who asks for a copy.

This document is available on the Council’s website: www.havering.gov.uk and paper copies will be provided on request.

The Housing Act 1996 (as amended) requires local authorities to give reasonable preference in their allocations policies to people with high levels of assessed housing need. The main groups are:

- People who are homeless as defined by the Housing Act 1996, Part 7;
- People who are owed a duty by any local housing authority under section 190(2), 193(2) or 195(2) (or under section 65(2) or 68(2) of the Housing Act 1985), or who are occupying accommodation secured by any such authority under section 192(3);
- People occupying insanitary or overcrowded housing, or who are otherwise living in unsatisfactory conditions;
- People who need to move on medical or welfare grounds (including any grounds relevant to a disability); and
- People who will suffer hardship to themselves or to others if they are unable to move to a particular locality or district.

In addition to the above, the Council also exercises its statutory discretion to grant additional preference and/or to determine priority between applicants with reasonable preference. Applicants in reasonable preference categories makeup around 61% of the Council's housing register – comparatively reasonable preference made up around 47% of all Council allocations in 19/20, contributing to 214 of 455 lets. Whilst there is slightly larger demand for accommodation than supply for applicants of reasonable preference, the figures show that they are overall treated fairly, contributing to just under half of all Council lets.

The Act also requires local authorities to state within the policy what its position is on offering applicants a choice of housing accommodation, or offering them the opportunity to express preference about the housing accommodation to be allocated to them. Our policy on choice is described below in Section 4.

In summary – the proposed key changes

The new, Housing Allocations Policy will introduce the following key changes:

1. Qualification Criteria

- **10 years continuous residency:**

In a change to the previous policy in order fulfil the Council's qualification criteria to join the Housing Register, an applicant will be required to demonstrate a continuous residency of ten years in the borough of Havering from the previous 6 years.

- **Residency exemptions**

Within the criterion, a residency exemption will be granted to applicants of refugee status or of traveller background of five years, provided they have resided in the borough for five years continuously, and can demonstrate a community contribution such as paid, unpaid or voluntary work in the borough or being a recognised carer for an elderly or disabled adult or child. Further exemptions will also be included.

- **Income threshold:**

In a change to the previous policy, the gross income threshold for applicants has been raised from £36,000 to £50,000 and a change of the savings limit to £30k.

This is proposed in recognition of the changing financial climate. Applicants who come above this threshold will not qualify to join the register.

2. Banding Changes

- Change to five new bands and new prioritisations within the bands.
- Applicants previously placed under the Reduced Priority banding will no longer qualify for social housing.

| Who will be affected by the activity? | |
|--|---|
| Applicants to the Havering Council Housing Register to seek housing. | |
| Protected Characteristic - Age | |
| <i>Please tick (✓) the relevant box:</i> | Overall impact: Neutral |
| Positive | This policy states an Age qualification for applicants to be placed on the Council's Housing Register. This is: |
| Neutral | <input checked="" type="checkbox"/> <u>Age - Applicants must be 18 years of age or over</u> The Council will not normally grant a tenancy to anyone under the age of 18 years unless another adult is prepared to act as their guarantor and agrees to cover the rent or any arrears. |
| Negative | Exception: The age qualification criterion will not apply where a young person, aged under 18 years, is owed a duty under current legislation, but is unable to access suitable accommodation other than by being given an offer of council or housing association accommodation. In exceptional circumstances, the Council can grant permission to occupy a property to an applicant under 18 years by means of an Equitable Agreement. The policy therefore is inclusive of all eligible persons and does not discriminate on the basis of age, except in the case where persons are under 18 years old and in which case exemption is made according to the duty owed to some young people under legislation as stated above. |

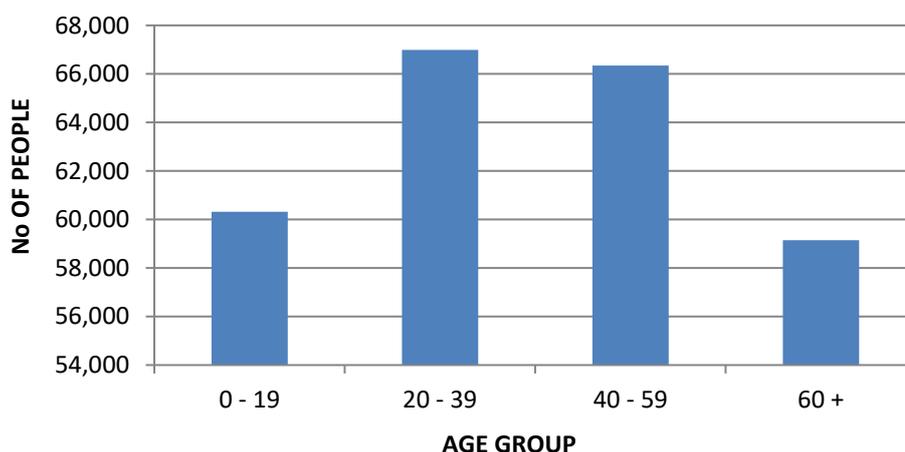
Evidence:

Declining mortality rates mean higher life expectancies.

A newborn male baby in the UK today can expect to live for 79.2 years and a girl to 82.9 years, with 22.6% of newborn boys and 28.3% of newborn girls projected to live to 100 years old¹.

- Havering has the oldest population in London with a median age of 40 years, as recorded in the 2011 census.
- The life expectancy at age 65 years in Havering is 19 years for males and 21.7 years for females. The life expectancy at birth for people living in Havering is 80.2 years for males and 83.9 years for females.
- From 2011 to 2016, Havering experienced the largest net inflow of children across all London boroughs. 4,580 children settled in the borough from another part of the United Kingdom during that five-year period.
- It is projected that the largest increases in population up to 2033 will occur in the following age brackets; children (0-17 years), and older people age groups (65 years and above).

HAVERING - BY AGE GROUP



The Havering population is estimated to be 257,810 (ONS, 2018). The table below gives a breakdown by five year age bands and gender.

| Age Band (Years) | Male | Female | Persons |
|------------------|-------|--------|---------|
| 00-04 | 8,850 | 8,520 | 17,370 |
| 05-09 | 8,429 | 8,081 | 16,510 |
| 10-14 | 7,595 | 7,503 | 15,098 |
| 15-19 | 7,166 | 6,743 | 13,909 |
| 20-24 | 7,351 | 7,198 | 14,549 |
| 25-29 | 8,642 | 9,220 | 17,862 |
| 30-34 | 8,526 | 9,742 | 18,268 |
| 35-39 | 8,614 | 9,268 | 17,882 |

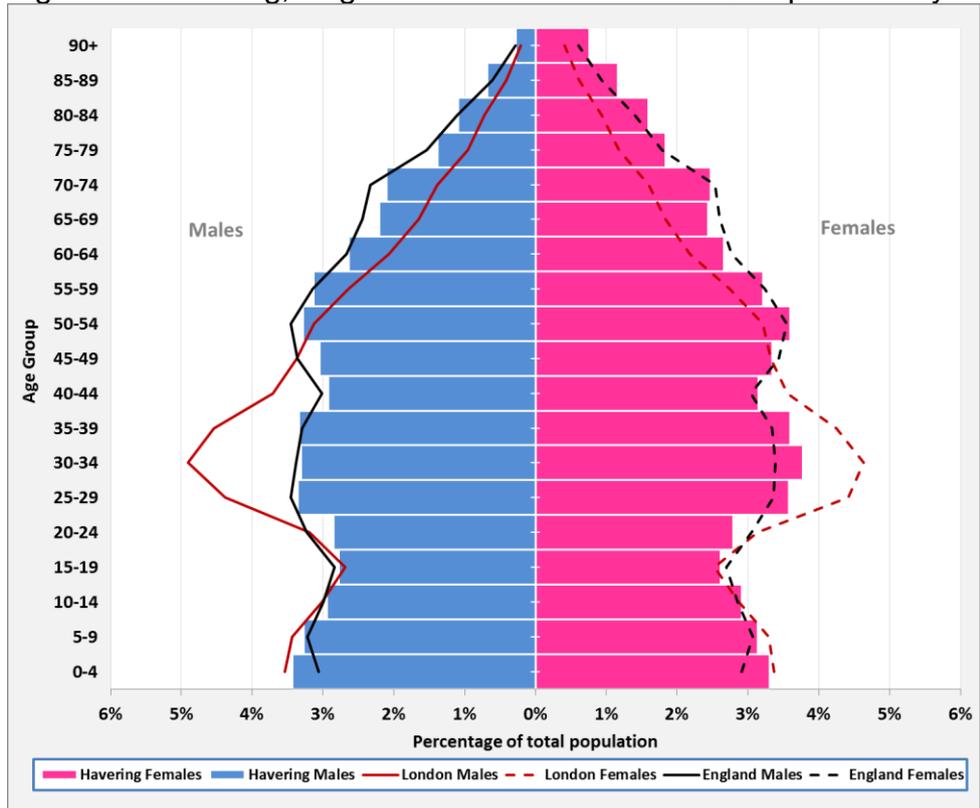
¹ Article: 'Living longer; how our population is changing and why it matters' (Office for National Statistics, August 2018)

| | | | |
|-----------------|----------------|----------------|----------------|
| 40-44 | 7,542 | 8,125 | 15,667 |
| 45-49 | 7,868 | 8,624 | 16,492 |
| 50-54 | 8,460 | 9,279 | 17,739 |
| 55-59 | 8,072 | 8,290 | 16,362 |
| 60-64 | 6,806 | 6,860 | 13,666 |
| 65-69 | 5,696 | 6,272 | 11,968 |
| 70-74 | 5,417 | 6,379 | 11,796 |
| 75-79 | 3,561 | 4,741 | 8,302 |
| 80-84 | 2,817 | 4,121 | 6,938 |
| 85-89 | 1,747 | 3,000 | 4,747 |
| 90+ | 719 | 1,966 | 2,685 |
| All Ages | 123,878 | 133,932 | 257,810 |

Havering has the oldest population in London with a median age of 39 years. There are approximately 60,102 persons aged 65 and over in Havering. This is more than a fifth of the whole population (23.3%).

Figure 1 below shows a much older age structure for the population of Havering compared to London but similar to England.

Figure 1 : Havering, England and London Mid-2018 Population Pyramid



Data source: ONS 2018 Mid-year population estimates.

The increased age of residents within Havering could see mean that there is an increased pressure for smaller or sheltered type properties.

Sources used:

- This is Havering 2019/20 version 4.4, Public Health Intelligence
- ONS 2018 Mid-year Population Estimates

Protected Characteristic - Disability

Please tick (✓) the relevant box:

| | |
|-----------------|-------------------------------------|
| Positive | <input checked="" type="checkbox"/> |
| Neutral | <input type="checkbox"/> |

Overall impact: Neutral

This policy decides on applicants cases based on a number of criteria, including an applicant’s health and consequent housing need priority. The policy states:

Negative

MEDICAL

The medical element of the assessment is based on whether the applicant’s health, or a member of their household’s health, would improve by moving to alternative accommodation. Consequently, medical priority is awarded according to the extent to which the health or welfare of one or more members of the applicant’s household, is affected by their current housing conditions and the expected benefits of providing suitable alternative housing.

Applicants are asked to complete a Medical Assessment Form. A Housing Assessment Officer will consider the information supplied by the applicant, along with any further and necessary information supplied by other parties such as health professionals and housing officers.

Applicants claiming to have a severe and enduring mental illness will need to demonstrate that they currently have, or have recently had, access to Havering Mental Health Services.

Depending on the circumstances, medical priority can be awarded under the Band 1, 2a or Band 3. The following table is used as a guide to how medical priority is determined:

| <i>Medical Condition</i> | <i>THE EFFECT OF CURRENT HOUSING ON THE APPLICANT'S HEALTH</i> | | |
|--------------------------|--|-----------------|----------------------------|
| | <i>Severe</i> | <i>Moderate</i> | <i>Low</i> |
| <i>Serious</i> | <i>Band 1</i> | <i>Band 2a</i> | <i>No medical priority</i> |
| <i>Moderate</i> | <i>Band 2a</i> | <i>Band 3</i> | <i>No medical priority</i> |

Applicants who clearly have an urgent need to move because they have a critical medical condition, or very serious disability, will be placed in the Band 1.

Therefore, the policy makes due consideration of the disability and/or

| | | |
|--|--|--|
| | | severe health issues of an applicant and provides a bespoke service to consider an individual's health circumstances in deciding their Housing Register application. This should improve the outcomes for disabled applicants. |
|--|--|--|

Evidence:

- In 2017, 3,506 adults (aged 18-64 years) were estimated to be living with serious physical disabilities in Havering.
- The estimated rate of serious physical disabilities in Havering (2,323 per 100,000 population aged 18-64 years) is similar to England but significantly higher than London average. It is one of the highest rates within London local authorities (see Figure 22). One of the key reasons for this is likely to be due to the relatively older population in Havering compared to other London boroughs.

Please note: Rate per 100,000 calculation uses mid 2016 population.

The following shows the prevalence of various disabilities in Havering:

Table 1: Number of people aged 18-64 with disabilities in Havering by age band, 2020

| Age band | Number with learning disability | Number with Impaired mobility | Number with serious visual impairment | Number with moderate or severe, or profound hearing impairment |
|----------|---------------------------------|-------------------------------|---------------------------------------|--|
| 18-24 | 519 | 192 | 12 | 347 |
| 25-34 | 911 | 366 | 24 | 791 |
| 35-44 | 882 | 1,790 | 23 | 1,652 |
| 45-54 | 792 | 1,685 | 22 | 4,271 |
| 55-64 | 721 | 4,438 | 21 | 8,143 |
| 18-64 | 3,824 | 8,471 | 102 | 15,204 |

Table 2: Number of people aged 18-64 with mental health problems in Havering, 2020

| Mental health problem | Number |
|-----------------------------------|--------|
| Common mental disorder | 29,906 |
| Borderline personality disorder | 3,796 |
| Antisocial personality disorder | 5,184 |
| Psychotic disorder | 1,100 |
| Two or more psychiatric disorders | 11,327 |

Table 3: Number of people aged 65 & over unable to manage at least one mobility activity on their own in Havering, 2020

| Age band | Number |
|-------------|--------|
| 65-69 | 1,023 |
| 70-74 | 1,642 |
| 75-79 | 1,506 |
| 80-84 | 1,740 |
| 85 and over | 3,410 |
| 65 and over | 9,321 |

Table 4: Disabled population with medical needs

| Band | Medical Type | Total | % of Register |
|------------|-------------------------|-----------|---------------|
| <i>ER</i> | <i>Special Needs</i> | <i>7</i> | <i>0</i> |
| | <i>Severe Medical</i> | <i>18</i> | <i>1</i> |
| <i>CC2</i> | <i>Disability</i> | <i>60</i> | <i>3</i> |
| <i>H</i> | <i>Moderate Medical</i> | <i>35</i> | <i>2</i> |

Sources used:

This is Havering (2018)

Projecting Older People Population Information: <https://www.poppi.org.uk/index.php>

Projecting Adults Needs and Services Information: <https://www.pansi.org.uk/>

Protected Characteristic - Sex/gender

Please tick (✓) the relevant box:

Overall impact: Neutral

Positive

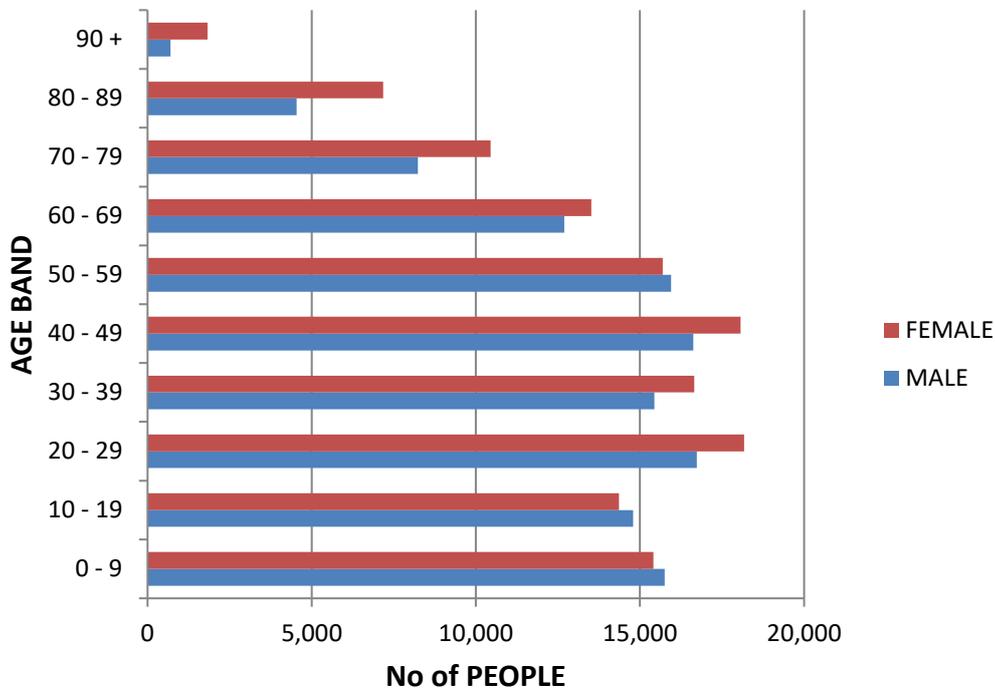
Neutral

Negative

This policy offers a gender neutral approach to making decision on the allocation of housing. It will be carried out with an emphasis on equality of treatment.

Evidence:

**HAVERING POPULATION
- BY GENDER AND AGE BAND**



| Gender | Total | % of Register |
|--------|-------|---------------|
| Male | 402 | 21 |
| Female | 1511 | 79 |
| Total | 1913 | 100 |

Sources used:

<https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationestimates>

| Protected Characteristic - Ethnicity/race | |
|--|-------------------------------------|
| <i>Please tick (✓) the relevant box:</i> | |
| Positive | <input type="checkbox"/> |
| Neutral | <input checked="" type="checkbox"/> |
| Negative | <input type="checkbox"/> |

Overall impact: Neutral

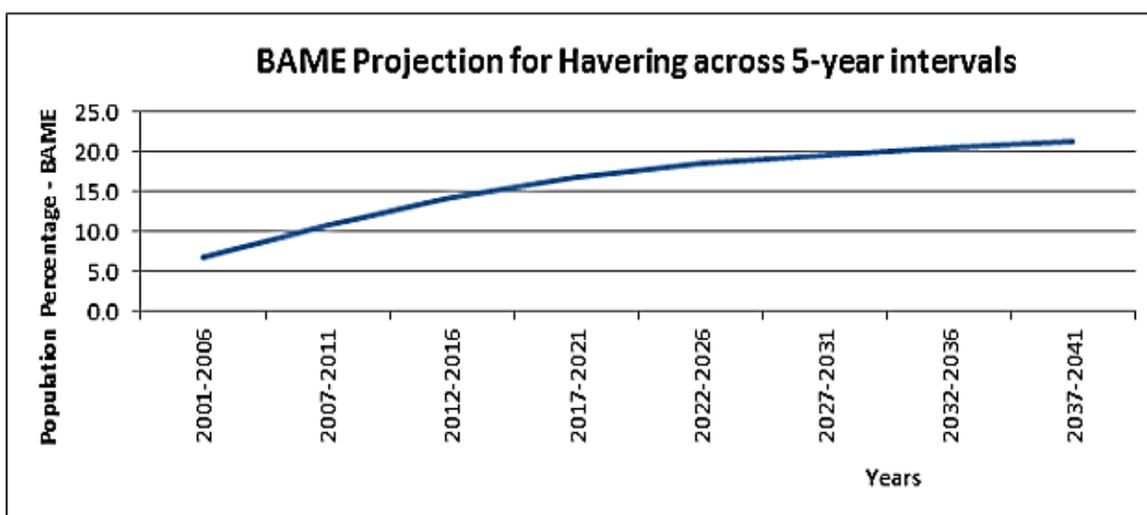
This policy offers an ethnicity neutral approach to making decision on the allocation of housing. The Policy will be carried out with an emphasis on equality of treatment.

There is insufficient evidential information at this time as to whether the impact on this protected characteristic will be positive or negative. It is currently envisaged that there will be neutral impact at the least.

2.3.2 (j) Exception (Travelers & Refugees) - Overall impact would be neutral/positive for applicants of traveller background or refugee status with no sizable advantage gained from the reduction of residency for applicants requiring family accommodation as there would still be extended waiting periods in their elevated banding. Single or Coupled applicants of refugee or traveller backgrounds stand to benefit from a reduction in residency with greater opportunities of success for 1 bed permanent accommodation.

Evidence:

- Havering is one of the most ethnically homogenous boroughs in London, with 83% of its residents recorded as 'White British' in the 2011 census; higher than both London and England.
- However, the ethnically homogenous characteristic of Havering is gradually changing due to its growing cultural diversity.
- The Borough's white population is projected to decrease from the current 84% to 78% in 2032.
- The BME population, notably those from Black African heritage (though many of whom are likely to be British born) is projected to increase from 4.1% in 2017 to 5.3% of the Havering population in 2032



According to the GLA ethnic projections (2020) There are approximately 40,500 (18%) people from BAME groups living in Havering, the majority being black Africans (11,700, 4.5%).

Table 1: The GLA ethnic population projections 2020

| Ethnic Group | Male | Female | Persons |
|-------------------------|----------------|----------------|----------------|
| White British | 94,850 | 101,950 | 196,810 |
| White Irish | 1,320 | 1,620 | 2,940 |
| Other White | 7,280 | 7,330 | 14,610 |
| White & Black Caribbean | 1,900 | 1,840 | 3,740 |
| White & Black African | 710 | 780 | 1,490 |
| White & Asian | 890 | 860 | 1,750 |
| Other Mixed | 900 | 920 | 1,820 |
| Indian | 4,050 | 4,530 | 8,590 |
| Pakistani | 1,290 | 1,510 | 2,810 |
| Bangladeshi | 1,190 | 1,140 | 2,340 |
| Chinese | 610 | 1,010 | 1,620 |
| Other Asian | 1,980 | 2,120 | 4,110 |
| Black African | 5,270 | 6,430 | 11,700 |
| Black Caribbean | 2,090 | 1,940 | 4,030 |
| Other Black | 790 | 970 | 1,760 |
| Arab | 290 | 220 | 510 |
| Other Ethnic Group | 660 | 570 | 1,220 |
| Total | 126,070 | 135,740 | 261,850 |

Table 2: Housing Register by Ethnicity

| Racial Classification | | Housing Register | |
|-----------------------|-------------------------|------------------|---------------|
| Race | Ethnicity | Total | % of register |
| White | British | 1273 | 67 |
| | Irish | 17 | 1 |
| | Other | 88 | 5 |
| BAME | Arab | 2 | 0 |
| | Asian Bengali | 20 | 1 |
| | Asian Indian | 12 | 1 |
| | Asian Other | 27 | 1 |
| | Asian Pakistani | 13 | 1 |
| | Black African | 186 | 10 |
| | Black Caribbean | 47 | 2 |
| | Black Other | 18 | 1 |
| | White & Asian | 7 | 0 |
| | White & Black African | 28 | 1 |
| | White & Black Caribbean | 31 | 2 |
| | Other Mixed | 16 | 1 |
| | Other | 2 | 0 |
| No response | Blank/Refused | 126 | 6 |
| | | 1913 | 100 |

2.3.2 (j) Exception (Travelers/Refugees) - a reduction in residency criteria appears to have no significant advantage to applicants of traveler background. From data sourced from P1E records, shows the number of accepted homeless cases under Part 7 between 2016-18 for travelers were as follows:

Table 3: Accepted homeless cases for applicants of traveler/gypsy background 2016-18

| Year | Total |
|------|-------|
| 2016 | 0 |
| 2017 | 0 |
| 2018 | 0 |

For the year 19/20 data sourced from HCLIC showed there were five known traveler cases investigated under part 7 with one case accepted under s.193 main duty. Accepted applications to the housing register did not fare better for applications from travelers with one application made in 2019 and zero acceptances to the register between 2016 and year-end 2020. This appears to suggest there is very little in the way of housing demand from the travelling community.

Table 4: Accepted applicants from traveler/Gypsy community to the housing register

| Year | Status | Homeless | Residency Met? | Banding | Year Residency Met | New Band | Bed Need | Rehoused |
|------|----------|----------|----------------|---------|--------------------|----------|----------|----------|
| 2019 | Traveler | Yes | No | RP | - | - | 1 | No |

Opportunities for non-UK residents/asylum seekers appear to be relatively neutral to positive dependent on bedroom size required. Data obtained shows that between 2016-20 eight households were granted homeless decisions under s.193 of HA96. Of these eight households five went on to apply and become accepted on the housing register.

The below data shows the pathway of accepted Non-UK national applicants to the register, with the remaining three cases provided with alternative housing solutions such as discharge into private sector accommodation.

Table 5: Accepted Non-UK nationals/Refugees to the housing register

| Year | Status | Homeless | Residency Met? | Banding | Year Residency Met | New Band | Bed Need | Rehoused |
|------|---------|----------|----------------|---------|--------------------|----------|----------|----------|
| 2016 | Refugee | Yes | No | RP | 2020 | CC2 | 4 | No |
| 2018 | Refugee | Yes | No | RP | - | - | 1 | Yes |
| 2018 | Refugee | Yes | No | RP | - | - | 2 | No |
| 2018 | Refugee | Yes | No | RP | - | - | 4 | No |
| 2019 | Refugee | Yes | No | RP | - | - | 3 | No |
| 2019 | Refugee | Yes | No | RP | - | - | 2 | No |
| 2019 | Refugee | Yes | No | RP | - | - | 3 | No |
| 2019 | Refugee | Yes | No | RP | - | - | 3 | No |

For context, the only Non-UK national current on the list with a higher priority banding resulting from RP banding (residency criterion) is currently in CC2 band with an effective date of 22nd September 2020. For the purpose of context, an analysis of the number of properties the applicant would have been successful for based on lowered exception criteria by years is documented below:

Table 6: Prospective accommodation offer for eligible Non-UK national/refugee applicant

| CC2 Band (having fulfilled residency criterion from RP Banding) | | |
|---|---------------------|---|
| Effective Date | Bedroom Eligibility | Potential Successful bids based on effective date |
| 22/09/15 (5 year residency) | Four bedroom | 13 |
| 22/09/18 (4 year residency) | Four bedroom | 8 |
| 22/09/17 (3 year residency) | Four bedroom | 8 |

| | | |
|------------------------------|--------------|----|
| 22/09/18 (2 year residency) | Four bedroom | 4 |
| 22/09/19 (1 year residency)* | Four bedroom | 3 |
| Total | | 32 |

Based on the data, there appears to be a sizeable impact to the applicant starting from RP band, who based on the five-year wait to achieve banding status would have missed on 32 four bedroom properties to applicants in higher banding. This differs from a qualifying applicant as homeless who met initial residency placed under Homeseeker (H) band and subsequently qualified for CC2 under similar circumstances.

If expected waiting times are applied based on banding effective date stretching back five years (22/09/15) the results would show as follows:

Table 7: Waiting based on earlier effective date (2015)

| Banding | Bedroom Need | Waiting Time (in Band – with residency served - no RP) | Total waiting time (with accrued RP years) |
|---------|--------------|--|--|
| ER | Four bedroom | 1 month | 5 years |
| CC1 | Four bedroom | 1-6 months | 5.5 years |
| CC2 | Four bedroom | 1-2 years | 6-8 years |
| H | Four bedroom | 3-7 years | 8-12 years |

From the above table there is a visible distinction in the prospective waiting times based on the above applicants placement in CC2 with an earlier effective date. With the current effective date (22/09/20) applied the waiting times would vary considerably:

Table 8: Waiting times based on current effective date (2020)

| Banding | Bedroom Need | Waiting Time (in Band – with residency served – no RP) | Total waiting time (with accrued RP years) |
|---------|--------------|--|--|
| ER | Four bedroom | 6 months | 5.5 years |
| CC1 | Four bedroom | 2-3 years | 7-8 years |
| CC2 | Four bedroom | 3-5 years | 8-10 years |
| H | Four bedroom | 4-7 years | 9-12 years |

Protected Characteristic - Religion/faith

Please tick (✓) the relevant box:

Overall impact: Neutral

| Positive | | This policy offers a religion/faith neutral approach to making decision on the allocation of housing. The Policy will be carried out with an emphasis on equality of treatment. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|----------------|---|--------------|---------------|----------|-----------|---------|-------|----------|-----|------|-------|-------|------|--------|-------|------|--------|-------|------|------|-------|------|----------------|-----|------|-------------|--------|-------|-------------|--------|------|---------------|----------------|-------------|
| Neutral | ✓ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Negative | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Evidence: | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Most recent available data (Census 2011) shows the majority of Havering residents are Christians. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Table 7: Religion and Belief 2011 Census, Havering | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <table border="1"> <thead> <tr> <th>Faith</th> <th>Number</th> <th>%</th> </tr> </thead> <tbody> <tr> <td>Christian</td> <td>155,597</td> <td>65.6%</td> </tr> <tr> <td>Buddhist</td> <td>760</td> <td>0.3%</td> </tr> <tr> <td>Hindu</td> <td>2,963</td> <td>1.2%</td> </tr> <tr> <td>Jewish</td> <td>1,159</td> <td>0.5%</td> </tr> <tr> <td>Muslim</td> <td>4,829</td> <td>2.0%</td> </tr> <tr> <td>Sikh</td> <td>1,928</td> <td>0.8%</td> </tr> <tr> <td>Other Religion</td> <td>648</td> <td>0.3%</td> </tr> <tr> <td>No Religion</td> <td>53,549</td> <td>22.6%</td> </tr> <tr> <td>No Response</td> <td>15,799</td> <td>6.7%</td> </tr> <tr> <td>Totals</td> <td>237,232</td> <td>100%</td> </tr> </tbody> </table> | | | Faith | Number | % | Christian | 155,597 | 65.6% | Buddhist | 760 | 0.3% | Hindu | 2,963 | 1.2% | Jewish | 1,159 | 0.5% | Muslim | 4,829 | 2.0% | Sikh | 1,928 | 0.8% | Other Religion | 648 | 0.3% | No Religion | 53,549 | 22.6% | No Response | 15,799 | 6.7% | Totals | 237,232 | 100% |
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| Sources used: | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Census 2011 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

| Protected Characteristic - Sexual orientation | | |
|---|---|--|
| <i>Please tick (✓) the relevant box:</i> | | Overall impact: Neutral |
| Positive | | This policy offers a sexual orientation neutral approach to making decision on the allocation of housing. The Policy will be carried out with an emphasis on equality of treatment. It is not necessary for residents to disclose their sexual orientation therefore a neutral impact is expected |
| Neutral | ✓ | |
| Negative | | |
| Sources used: | | |
| There is insufficient evidential information at this time as to whether the impact on this protected characteristic will be positive or negative. It is currently envisaged that there will be neutral impact at the least. | | |

Protected Characteristic - Gender reassignment

Please tick (✓) the relevant box:

Overall impact: Neutral

Positive

Neutral

Negative

This policy offers a gender reassignment neutral approach to making decision on the allocation of housing. The Policy will be carried out with an emphasis on equality of treatment.

Evidence:

The Equality Act 2010 says employees must not be discriminated against in employment for being married or in a civil partnership.

In the Equality Act marriage and civil partnership means someone who is legally married or in a civil partnership. Marriage can either be between a man and a woman, or between partners of the same sex. Civil partnership is between partners of the same sex.

Marriages and registration of civil partnerships in the UK are currently suspended due to the COVID-19 pandemic.

Sources used:

<https://www.equalityhumanrights.com/en/advice-and-guidance/marriage-and-civil-partnership-discrimination>

Protected Characteristic - Marriage/civil partnership

Please tick (✓) the relevant box:

Overall impact: Neutral

Positive

Neutral

Negative

This policy offers a marriage/civil partnership neutral approach to making decision on the allocation of housing. The Policy will be carried out with an emphasis on equality of treatment.

Evidence: There is insufficient evidential information at this time as to whether the impact on this protected characteristic will be positive or negative. It is currently envisaged that there will be neutral impact at the least.

Protected Characteristic - Pregnancy, maternity and paternity

| | | |
|--|-------------------------------------|---|
| <i>Please tick (✓) the relevant box:</i> | | Overall impact: Neutral |
| Positive | <input type="checkbox"/> | This policy offers a pregnancy, maternity and paternity neutral approach to making decision on the allocation of housing. The Policy will be carried out with an emphasis on equality of treatment. |
| Neutral | <input checked="" type="checkbox"/> | |
| Negative | <input type="checkbox"/> | |
| Evidence: There is insufficient evidential information at this time as to whether the impact on this protected characteristic will be positive or negative. It is currently envisaged that there will be neutral impact at the least. | | |

| Health & Wellbeing | | |
|---|-------------------------------------|--|
| <i>Please tick (✓) all the relevant boxes that apply:</i> | | Overall impact: Neutral |
| Positive | <input type="checkbox"/> | <p>Do you consider that a more in-depth HIA is required as a result of this brief assessment? No ✓</p> <p>The process of reviewing this policy will assist the Council in ensuring that accommodation occupied by the tenants meets their housing needs. Housing plays a key role in the health and well-being of residents. Overcrowding of accommodation can lead to health issues and family disputes. Evidence detailed below demonstrates that this is a real problem in Havering. The review process will identify and enable the Council to allocate social housing to those in the greatest need.</p> <p>Where resources permit, and eligibility for social housing remains, the Council will look to housing tenants in accommodation that meets the tenants needs, either in council stock or through the use of reciprocal and nomination agreements with registered providers with whom the Council works in partnership.</p> <p>Similarly, reviews of this policy will also indicate in terms of disability where the tenant's current home is no longer suitable – either where the tenant or a member of their household no longer has a need for a specifically adapted property or where the review identifies that the tenant has a need for an adaptation to their home.</p> <p>Again, where resources permit, the Council will seek to allocate more suitable accommodation for the tenant or will assist the tenant to obtain a disabled facilities grant to adapt the home.</p> |
| Neutral | <input checked="" type="checkbox"/> | |
| Negative | <input type="checkbox"/> | |
| | | Evidence: |
| | | The table below shows the identified size mix for affordable housing in Havering using both the 2014 and 2015 round GLA long-term trend migration figures for comparison purposes. (<i>Affordable housing is considered to be housing of any tenure which is judged to be affordable to a particular group or household by analysis of housing costs, income levels and other factors</i>). |

| | <p>This takes account of both overcrowded households who require a move to a larger dwelling and also under-occupying households who require downsizing.</p> <p style="text-align: center;">Fully objectively assessed housing need for Havering for affordable homes 2011 -2033</p> <p>For both the 2014 and 2015 round data, the evidence points to a high need for three bedroom properties in the affordable housing sector. The main driver of this need in the sector is the address affordable households who require affordable housing. Housing in this policy will assist the Council in identifying where downsizing may be appropriate to certain households and these properties can be placed back in to the churn of much needed council stock.</p> <table border="1" data-bbox="691 584 1265 965"> <thead> <tr> <th></th> <th>GLA 2014</th> <th>GLA 2015</th> </tr> </thead> <tbody> <tr> <td>1 bedroom</td> <td>900</td> <td>640</td> </tr> <tr> <td>2 bedrooms</td> <td>2,400</td> <td>2,850</td> </tr> <tr> <td>3 bedrooms</td> <td>4,100</td> <td>5,400</td> </tr> <tr> <td>4 bedrooms</td> <td>700</td> <td>1,610</td> </tr> <tr> <td>5 bedrooms</td> <td>100</td> <td>20</td> </tr> <tr> <td>Total affordable housing</td> <td>8,200</td> <td>10,520</td> </tr> <tr> <td>TOTAL</td> <td>25,200</td> <td>30,050</td> </tr> </tbody> </table> | | GLA 2014 | GLA 2015 | 1 bedroom | 900 | 640 | 2 bedrooms | 2,400 | 2,850 | 3 bedrooms | 4,100 | 5,400 | 4 bedrooms | 700 | 1,610 | 5 bedrooms | 100 | 20 | Total affordable housing | 8,200 | 10,520 | TOTAL | 25,200 | 30,050 |
|--------------------------|---|-----------------|-----------------|-----------------|-----------|-----|-----|------------|-------|-------|------------|-------|-------|------------|-----|-------|------------|-----|----|--------------------------|-------|--------|--------------|--------|--------|
| | GLA 2014 | GLA 2015 | | | | | | | | | | | | | | | | | | | | | | | |
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| TOTAL | 25,200 | 30,050 | | | | | | | | | | | | | | | | | | | | | | | |
| | <p>Sources used:</p> <p>Outer North East London Strategic Housing Market Assessment for Havering – November 2016, by Opinion Research Services</p> | | | | | | | | | | | | | | | | | | | | | | | | |

Review

This EqHIA will be reviewed annually, or as and when new legislation or relevant influential data that may impact on the EqHIA arrives.

Scheduled date of review: October, 2021

Lead Officer conducting the review: Darren Alexander, Assistant Director Housing Demand.

Housing Allocation policy

Draft for Consultation

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1. Introduction

Social housing is provided by social landlords – generally, local authorities or housing associations. However, it has been clear for some time that housing supply is not keeping up with demand. Affordable housing however is broader and includes all housing that has received a public subsidy or grant in its development.

Demand for social housing in Havering significantly exceeds the number of properties available. In the financial year 2019-2020, only two in every 10 households on the housing register had a realistic prospect of getting social housing. This policy sets out how the council will prioritise access to the available housing.

1.1 Purpose of this policy

The Housing Act 1996 Part VI requires local authorities to give reasonable preference in the way they allocate their available social housing to certain specified groups of persons referred to at 1.3 below.

The purpose of this policy is to explain how Havering Council (“the Council”) decides how available social housing is allocated. It sets out the Council’s eligibility, qualifying and housing need criteria to ensure priority is fairly allocated to households in the greatest need. It also sets out how the Council will enable access to other forms of affordable housing such as shared ownership and intermediate rented housing.

1.2 Aims of this policy

The aims of this policy are to:

- ensure that we make the best possible use of the social housing stock;
- provide housing that is suitable to the specific needs and requirements of households;
- prioritise households that have been assessed to be in most need and to those who make a positive contribution to our community;
- reward residents with a long attachment to the borough;
- help build sustainable communities and neighbourhoods, and
- ensure social and affordable housing is allocated in a clear, fair and transparent manner.

1.3 Scope of this policy

This policy applies to new applicants, (including homeless households), and to existing tenants transferring from one property to another.

The Housing Act 1996, (as amended by the Homelessness Act 2002, the Localism Act 2011 and the Homelessness Reduction Act 2017), requires local authorities to make all allocations and nominations in accordance with an Allocation Scheme. A summary of the Allocations Scheme must be published and made available free of charge to any person who asks for a copy.

This document is available on the Council’s website: www.havering.gov.uk and summary will be available as a paper copy on request.

The Housing Act 1996 (as amended) requires local authorities to give reasonable preference in their allocations policies to people with high levels of assessed housing need. The main groups are:

- People who are homeless as defined by the Housing Act 1996, Part 7;
- People who are owed a duty by any local housing authority under section 190(2), 193(2) or 195(2) (or under section 65(2) or 68(2) of the Housing Act 1985), or who are occupying accommodation secured by any such authority under section 192(3);
- People occupying insanitary or overcrowded housing, or who are otherwise living in unsatisfactory conditions;
- People who need to move on medical or welfare grounds (including any grounds relevant to a disability); and
- People who will suffer hardship to themselves or to others if they are unable to move to a particular locality or district.

The Act also requires local authorities to state within the policy what its position is on offering applicants a choice of housing accommodation, or offering them the opportunity to express preference about the housing accommodation to be allocated to them.

1.4 Timescales for this policy

This policy will commence on XX XXXX 2021. It will apply to all applicants whenever they joined the housing register.

1.5 Annual Lettings Plan

Each year the Council sets out an annual lettings plan. The purpose of the plan is to fulfil the Council's statutory and local lettings priorities as set out in this policy. The plan will enable the Council to estimate:

- The number of Council and Housing Association properties likely to be available in the coming year;
- How many of these properties are likely to be allocated to particular banding groups.

In some instances, the estimated lettings figures in the annual plan may change due to the following circumstances:

- Where there are local lettings plans for particular developments, blocks of flats or roads (see section 3.6 for more information of local lettings plans);
- Where the Council wishes to fulfil a local housing priority or unforeseen circumstance during the lettings year.

Annual Lettings Plans are agreed by the Lead Cabinet Member for Housing.

1.6 Legal Context

This policy complies with the principles, requirements and guidelines of the following:

- Housing Act 1996
- Children Act 2004
- Equality Act 2010
- Localism Act 2011
- Homelessness Reduction Act 2017
- Allocation of accommodation: guidance for local housing authorities in England (June 2012)
- Providing social housing for local people (December 2013)
- Right to Move (March 2015)

- Improving access to social housing for victims of domestic abuse in refuges or other types of temporary accommodation (November 2018)
- Homelessness Code of Guidance for Local Authorities (2018)
- Prevention of Homelessness & Rough Sleeping strategy 2020-25
- Havering Housing strategy
- Havering Corporate Plan
- London Housing strategy

The Council reserves the right to expand, change or alter any element of this policy, as and when necessary, in order to meet changes in housing demand, capacity, resources, relevant case-law and legislation.

1.7 Equality and Diversity statement

All applicants will be invited to provide details of ethnic origin, sexuality, disability and other equalities information. Provision of this information will not be obligatory or a requirement for acceptance of an application. Such information however, will help monitor the number and types of applicants with protected characteristics seeking housing and their position under the policy, therefore applicants will be encouraged to supply the relevant information to be used for this purpose.

Equalities data will be kept and monitored on a regular basis to ensure properties are being allocated fairly. This policy will be monitored to ensure it does not operate in ways that discriminate against, or unfairly disadvantage, any particular group.

The Council will seek to ensure that this policy is operated in a manner that is fair to all sections of the community. The information provided will be kept confidential and treated with respect at all times.

1.8 Data Protection statement

The Council takes personal privacy very seriously and will never share an applicant's personal data without their prior knowledge and approval, unless required to do so by law. Section 166(4) of the Housing Act 1996 provides:

“The fact that a person is an applicant for an allocation of housing accommodation shall not be divulged (without his consent) to any other member of the public.”

For full details about how the Council protects personal data, please visit [Havering Council Data Protection policy](#).

2. The Housing Register

2.1 Eligibility, qualification and housing need

The decision to accept an application to join the Housing Register will be made following an assessment of each of the following criteria:

- Eligibility;
- Qualification;
- Housing Need.

2.2 Eligibility

Only persons in one of the categories below will be eligible for social housing:

- British citizens;
- Certain Commonwealth citizens with a right of abode in the UK;

- iii. Citizens of a European Economic Area, (EEA,) country, ('EEA nationals), and their family members who have a right to reside in the UK that derives from EU law. The question of whether an EEA national, (or family member), has a particular right to reside in the UK, (or in another Member State), will depend on the circumstances, particularly the economic status of the EEA national, (such as whether he or she is a worker, self-employed, a student, or economically inactive);¹
- iv. Persons who are exempt from immigration control under the Immigration Acts, include diplomats and their family members based in the UK and some military personnel. This means that people subject to immigration control and certain other people from abroad, (outside the categories identified above), will not usually be eligible for social housing.

2.3 Qualification

To be placed on the Council's Housing Register, all of the following criteria must be satisfied:

i. Age - Applicants must be 18 years of age or over

The Council will not normally grant a tenancy to anyone under the age of 18 years unless another adult is prepared to act as their guarantor and agrees to cover the rent or any arrears.

Exception: The age qualification criterion will not apply where a young person, aged under 18 years, is owed a duty under current legislation², but is unable to access suitable accommodation other than by being given an offer of council or housing association accommodation. In exceptional circumstances, the Council can grant permission to occupy a property to an applicant under 18 years by means of an Equitable Tenancy Agreement.

ii. Residency - Applicants must have lived in the borough of Havering continuously for at least ten years

Local residency qualification within the terms of this policy will normally mean that an applicant has lived in this borough continuously, through their own choice, (not through detention or hospitalisation), for a minimum of ten years up to and including the date of their application. The applicant should remain resident in-borough in order to continue to qualify.

Time spent placed by the Council in designated temporary accommodation outside of the borough will count towards time spent in Havering.

Those placed in Havering via temporary accommodation, residential or supported housing by another local authority will not normally be considered as having met the local residency qualification.

Time spent away from the main/principal home in Havering due to periods of study, such as at university, will count as time in the borough.

Exceptions:

¹ Correct at the time of writing but may change as a result of changing regulations

² Under the Homelessness Reduction Act 2017 and the Children Act 2004

- a) The residency qualification criterion will not be applied to the groups specified in The Allocation of Housing (Qualification Criteria for Armed Forces)(England) Regulations 2012:
- Members of the Armed Forces and former Service personnel, where the application is made within five years of discharge;
 - Bereaved spouses and civil partners of members of the Armed Forces leaving Services Family Accommodation following the death of their spouse or partner;
 - Serving or former members of the Regular or Reserve Forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service.
- b) People who are under-occupying their current social housing tenancy.
- c) Persons who fall within the statutory 'reasonable preference' groups:
- people who are homeless (within the meaning of Part 7);
 - people who are owed a duty by any local housing authority under section 190(2), 193(2) or 195(2) (or under section 65(2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any such authority under section 192(3);
 - people occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions;
 - people who need to move on medical or welfare grounds (including any grounds relating to a disability); and
 - people who need to move to a particular locality in the district of the authority, where failure to meet that need would cause hardship (to themselves or to others).
- d) Emergency cases where homes are damaged by fire, flood or other disaster - where it is not possible to repair the existing home, or if any work to repair is to take such a long period of time that there will be serious disruption to family life.
- e) Cases nominated under the Police Witness Protection Scheme or other similar schemes of which the Council has agreed to be party to.
- f) Households who need to move to the borough and where failure to meet that need would cause exceptional hardship to themselves or to others. Hardship grounds include applicants with the need to move:
- Under the Right to Move scheme³ where there is a genuine intention of taking up an offer of work;
 - To specialist facilities where they receive care;
 - To receive or give care/support which could otherwise result in higher care costs, or even the use of residential care for those who cannot move.

³ Right to Move is a central government scheme to assist social tenants who need to move to take up a job or live closer to work.

- g) People who qualify for assistance through specialist external mobility schemes (e.g. Housing Moves, HomefinderUK⁴).
- h) Cases with exceptional need that are not covered under this policy. For example, where child or public protection issues require rehousing, or for domestic abuse where all other options to remain in the home have been considered.
- i) Applicants who the Director of Housing and, at the very least, one other statutory agency (e.g. the Police, NHS), has agreed are unable to access suitable accommodation other than that given by the Council or a housing association.
- j) To ensure compliance with the judgment of the Court of Appeal in *R (Ward & Ors) v Hillingdon LBC; R(Gullu) v Hillingdon LBC, Equality and Human Rights Commission intervening* [2019] P.T.S.R. 1738.

This paragraph applies to an applicant whose household is either Irish Traveller / Romany Gypsy or non-UK national with refugee status in the UK and who would qualify under the policy for inclusion on the housing register, or once included be entitled to additional preference, but for their inability to demonstrate at least 10 years' continuous residence in Havering.

If, in the opinion of the Council, such inability is the result of their racial origin or related circumstances or lifestyle, the residence requirement will in the case of each provision be reduced from 10 years to 5 years provided the applicant can demonstrate to the Council's reasonable satisfaction that they have for the whole or substantial part of that period made a community contribution such as helping borough residents, undertaking paid, unpaid or voluntary work in the borough or being a recognised carer for an elderly or disabled adult or child, or other special reason to be decided on a case by case basis by the Council.

iii. Tenure - Applicants must not be the owner of a residential property

People who singularly, jointly or part-own a property in this country or abroad, which is reasonable for them to occupy, will not qualify to join the Housing Register.

People who have previously owned a property and have sold it within the last five years will be asked to provide proof of the sale, together with evidence of the proceeds received from the sale and what has become of them.

Unless they are unable to meet their housing needs from their own resources and require adapted or supported housing, they will not qualify to join the Housing Register.

Exceptions:

- a) Applicants where, at Housing Service's discretion, the Service is satisfied that the homeowner has exceptional circumstances. Examples include, but are not limited to, instances where they have a serious medical condition, are unable to remain in the property and are unable to afford suitable accommodation in the private market.
- b) Applicants aged over 55 years who have been assessed as being unable to meet their housing need from their own resources. The options for them will include the offer of being rehoused into sheltered or extra care accommodation

⁴ Housing Move is a housing mobility scheme provided by the Mayor of London that allows tenants of London boroughs or housing associations to move outside their existing borough to a different part of London.

and, in turn, agree to lease their property to the Council to use as temporary accommodation.

- c) Applicants who wish to be considered for low cost home ownership or intermediate rented products.

iv. Financial capacity.

Applicants whose income, savings and assets are above the level set by the Council will not be able to join the Housing Register, as they will be expected to meet their own housing needs or take up one of the other housing options in the borough through the Housing Opportunity Register.

This is because of the severe shortage of social and affordable rented properties in the borough.

Applicants will be asked about their income, savings and other assets when they apply to join the Housing Register. An income assessment will be made to assess whether they can afford to privately rent or buy in the borough.

At the time of writing (November 2020), the gross income threshold extends to a maximum of £50,000 per annum and savings of no more than £30,000.

The Council will on an annual basis review the income threshold based on local housing costs and household incomes and publish a new threshold for the year. Applicants whose gross annual household income exceeds this amount will only be eligible to join the Housing Opportunity Register.

Income Assessments -

Income assessments take into account the incomes of both the main applicant, their partner and any non-dependents. The assessment will include both gross income and income from benefits (excluding disability benefits). Households will not normally be placed on the Housing Register or offered social housing if their total income is above the set income level.

As part of the assessment, applicants will be asked to provide evidence of their household income, for example:

- Employed applicants – their last six months' payslips.
- Self-employed applicants – their last 18 months audited accounts. These applicants will be asked to provide evidence of their savings and details of any assets owned, which include:
 - bank current account statements;
 - building society, post office or any other savings accounts statements;
 - details of any other financial assets, such as stocks and shares, premium bonds etc.

Applicants who deliberately deplete savings or move them into the accounts of other family members may be disqualified from applying to join the Housing Register.

Applicants who cannot provide satisfactory evidence of their household income, savings and assets, or who choose not to complete the savings and income section of the application form, will be treated as having sufficient resources to rent privately in the borough and will not be accepted on to the Housing Register.

Exceptions:

- Members or former members of the Armed Forces where financial compensation has been received due to injury sustained on active service, this will be disregarded from any financial assessment.
- There may be very exceptional circumstances where there is a real emergency need to move. These will be considered on a case-by-case basis, with a decision being made by the Director of Housing in consultation with relevant partners.

v. Applicants convicted of unacceptable behaviour

Applicants who have been found guilty of unacceptable behaviour that makes them unsuitable to be a tenant will not be able to join the Housing Register. This type of behaviour would entitle the Council to take formal action against them. Examples of such behaviour include:

- Any person convicted of housing or welfare benefits fraud, where the conviction is unspent under the Rehabilitation Offenders Act 1974. The person may re-apply once the conviction is spent.
- Any person found guilty of sub-letting a Council or housing association property, or it being proved that they have done so in the civil courts.
- A person who obtains a tenancy by deception and/or false representations or omissions.
- A person who threatens, or uses, violence towards Council employees, contractors or Council members. This includes behaviour where there is persistent abusive or racist language directed at Council staff, Council members or other partner associations.
- Anti-social behaviour by the applicant or a member of his or her household which causes nuisance or annoyance.
- Racial harassment and hate crime.
- Transfer applicants who have caused damage or not looked after their property.

The Council will normally only determine that an applicant has been guilty of “unacceptable behaviour” where the Council or a current or former landlord of the applicant has successfully taken formal court action, civil or criminal, against the applicant or a member of the applicant’s household in respect of conduct, under any of the above headings by:

- the applicant;
- a member of the applicant’s household;
- a visitor to the applicant’s property.

Formal action will have had to have taken place within two years before their application to join the Housing Register and may take the form of:

- obtaining a legal remedy or criminal conviction;
- service of a possession notice, a pre-action protocol letter or other letter before claim;
- entry into an agreement for the purpose of avoiding/settling legal proceedings, including an acceptable behaviour agreement, and
- issue of an agreement to undertake works.

All applicants who do not qualify under this criterion may submit a new Housing Register application if their circumstances change and there has been a sustained period of change for at least the past year.

However, where the applicant has not complied with the terms of the formal action taken, (such as complying with a suspended possession order, or with an agreement to avoid or settle legal proceedings), or where new unacceptable behaviour has, in the Council's view, arisen, (whether or not further formal action has been taken in respect of it), the Council will normally continue the disqualification.

vi. Housing Need - Applicants must meet one of the housing need criteria.

Applicants who are considered not to have a housing need will be signposted and given relevant information/advice to solve their housing situation. They will be held on the new Housing Opportunity Register, where the Council may contact them in relation to alternative housing options that might assist in securing suitable housing.

Exception:

- Applicants who are eligible for sheltered housing or other affordable housing products other than social housing.

vii. Formal action against an applicant already on the Housing Register

If formal action needs to be taken against an applicant on the Housing Register, any housing offer made to them may be withdrawn and, possibly, membership of the register terminated.

Exception:

The Council recognises that there may be exceptional circumstances where the only way an exceptional housing need can be resolved is through the use of discretion. From the outset, the applicant will need to give a firm assurance that the unacceptable behaviour will not be repeated.

However, it should not be assumed that this alone will be considered sufficient grounds to end to the matter. The discretion to waive this criterion in such circumstances will ultimately require the approval of the Director of Housing, or a delegated Officer.

A person who is not permitted to join the Housing Register, or has been removed from the Housing Register has the right of appeal. Details about how to appeal can be found in section 5.1 of this policy document.

2.4 How housing need is determined

The following explains the grounds on which the Council determines housing need priority:

2.4.1 Medical

The medical element of the assessment is based on whether the applicant's health, or a member of their household's health, would improve by moving to alternative accommodation.

Consequently, medical priority is awarded according to the extent to which the health or welfare of one or more members of the applicant's household, is affected by their current housing conditions and the expected benefits of providing suitable alternative housing.

Applicants are asked to complete a Medical Assessment Form. A Housing Assessment Officer will consider the information supplied by the applicant, along with any further and necessary information supplied by other parties such as health professionals and housing officers.

Applicants claiming to have a severe and enduring mental illness will need to demonstrate that they currently have, or have recently had, access to Havering Mental Health Services.

Depending on the circumstances, medical priority can be awarded under the Band 1, Band 2a or band 3. The following table is used as a guide to how medical priority is determined:

| Medical Condition | THE EFFECT OF CURRENT HOUSING ON THE APPLICANT'S HEALTH | | |
|-------------------|---|----------|---------------------|
| | Severe | Moderate | Low |
| Serious | Band 1 | Band 2a | No medical priority |
| Moderate | Band 2a | Band 3 | No medical priority |

Applicants who clearly have an urgent need to move because they have a critical medical Condition, or very serious disability, will be placed in the Band 1- Urgent Need.

2.4.2 Hardship & welfare

a) Young people leaving care

If a young person who has been looked after by the Council, including those who have been placed out-of-borough, is ready to move into their own accommodation, they may be considered for housing on welfare grounds. To qualify, a young person must have been a 'relevant child' under the Children (Leaving Care) Act 2000. This means that they would have been looked after by the Council for a certain period of time, as directed by the Council's Leaving Care team, and would have had a pathway plan drawn up.

In most cases, young people leaving care will be ready to move into independent living with the support of Children Services. If the young person is ready to move-on and has developed the required life skills, (e.g. managing a budget, cooking, cleaning, etc.), the Council will support her/him to find suitable private rented accommodation.

However, some young people are more vulnerable than others when leaving care, and accommodation in the private rented sector would have a detrimental effect on their transition to independent living.

Such applications will be considered by a Care Leavers Panel, consisting of Senior officers from Housing Services and Children Services, who will determine whether to award priority for their social housing. See Shared Council Housing – For leaving carers 3.4.3

Applications from young people with other mitigating circumstances will also be considered.

b) Move-on from specialist or supported accommodation

Residents currently placed in supported housing, including those in institutional care, who are ready for independent living will be considered for move-on accommodation to help them achieve independence.

For the purpose of this policy, these will be people currently receiving social care services for a mental health problem; a physical disability or who have learning disabilities.

Applicants referred for move-on to independent accommodation will be considered for the full range of provision available - including private sector accommodation - to meet their housing need. Only cases with a demonstrable need for long-term settled accommodation will be prioritised for social housing.

c) Reciprocal Agreements

Other local authorities and housing associations sometimes request a rehousing arrangement on a reciprocal basis.

This arrangement would be considered where the nominated household would be 'at risk' in their current property, and the referring organisation is unable to intervene to mitigate the risk or rehouse the nominated household themselves.

Once accepted, the Council will provide assistance on the following basis:

- the Council will have nomination rights to the resulting vacancy or another property of similar type or size;
- the applicant will be placed in the Band 2b as an exceptional case and the nominated household be made one reasonable offer;
- the accommodation will be of a similar size and type to that currently occupied by the nominated household;
- the offer of accommodation will be at a safe distance to the current accommodation.

People approved under the Right to Move scheme⁵, and any other relevant schemes, will be covered within this provision.

2.4.3 Homelessness

This applies to people who are homeless, or threatened with homelessness, under the Part VII of the Housing Act 1996 as amended by the Homelessness Act 2002, and the Homelessness Reduction Act 2017.

2.4.4 Overcrowding

When assessing overcrowding levels, the Council will only take into account those people who are part of an applicant's household.

If the applicant needs an extra room for medical reasons, they will be assessed to determine medical priority – see 2.4.1 above.

Where an applicant is pregnant and entitled to a larger property, priority will only be given for overcrowding from when the baby is born. Where the applicant is not the main person who cares for the children named on their housing application, the children may not be taken into account in the assessment of overcrowding.

The applicant's living room and kitchen will not be counted as bedrooms. However, if their accommodation has more than one living room, only one of the living rooms will be counted as a living room and the others will be counted as bedrooms. Bed-sit and studio accommodation will be considered to have no living room.

Please note that bedroom areas less than 4.6 sq. m (50 sq. ft.) will not be taken into account when making the assessment.

⁵ Right to Move is a national scheme that allows Council tenants who need to relocate for a job to be prioritised for social housing in areas to which they previously did not have a personal link, placing them at the same priority on the housing list as veterans of the armed forces.

2.4.5 Households living in unsanitary conditions or unsatisfactory housing conditions

A tenant is living in unsanitary housing if their current accommodation does not have:

- a bathroom or a kitchen;
- an inside toilet;
- hot or cold running water.

A tenant is living in unsatisfactory housing if their current accommodation:

- does not have electricity;
- does not have gas;
- does not have adequate heating;
- is in disrepair;
- is unfit for human habitation.

The condition of their current accommodation will be verified by a member of the Council's Environmental Health Team and must have at least one 'category 1 hazard' that is or cannot be resolved by the landlord within six months. Examples of where this would apply include accommodation that has:

- severe damp;
- a major structural defect including subsidence, flooding, collapsed roof;
- been issued with a notice of statutory nuisance by an environmental health officer;
- been declared unfit for human habitation and is due to be demolished under the Housing Act 2004.

2.5 The Community Contribution priority

The Council believes that people who make a community contribution should have greater priority for accommodation allocated by the Council than those who do not, and operates a Community Contribution priority scheme. This scheme gives successful applicants increased priority for housing.

Examples of the community contribution are:

- working
- membership of the British armed forces
- volunteering

Full details are contained in appendix 1.

An applicant can apply for a Community Contribution priority at any time they apply to join the Housing Register, or at any time once they have been placed in the band 3 on the Housing Register.

It is the applicant's responsibility to apply for the reward and to provide proof to demonstrate that they meet the qualification criteria.

The Community Contribution priority will be reviewed each year and if an applicant is no longer making a community contribution then they will be moved to a lower band.

The Community Contribution priority will only be given to applicants who also meet the Housing Register qualification criteria. Verification will be sought at the point of application.

2.6 Housing bands

Havering Council's housing bands system is used to help determine how applications for housing are fairly prioritised.

It comprises five levels (bands) of priority and has been framed to help ensure that 'reasonable preference' is given to applicant households in order of their assessed housing need:

- **Band 1 – Urgent Need**

People who have an urgent need to move.

| Category | Criteria Guide |
|---|---|
| Urgent medical or disability (Reasonable preference category S.166A(3)(d)) | This applies to an applicant, or someone in their household: <ul style="list-style-type: none"> • who is in hospital or residential care, and who cannot return home due to the unsuitability of the property; • who has a severe mobility issue; is housebound, and is unable to leave their accommodation without assistance that will result in a high risk to the applicant, household member or their carer/s. |
| Hardship and Welfare Criteria (Reasonable preference category S.166A(3)) | This applies to an applicant, or someone in their household, whose circumstances, or a combination of circumstances, are considered to be life-threatening, and where the need to move is supported by health professionals, the Council's Housing and Social Services and a senior Police Officer or a MARAC ⁶ assessment. |
| Decants - major works or demolition (Reasonable preference category S.166A(3)(c)) | This applies to Council tenants who are required to move because their current home is due to: <ul style="list-style-type: none"> • be sold, and/or • be demolished or • have extensive works completed, or • be refurbished (which may include conversion works), meaning that they will need to move out their current accommodation while the works are taking place. <p>Please note: that this condition does not apply private sector leased properties.</p> |

- **Band 2a**

| Category | Criteria Guide |
|--|---|
| British Armed Forces/Reserve Forces personnel | This applies to: <ul style="list-style-type: none"> • A household member who is, or has been: <ul style="list-style-type: none"> - a serving (or former serving) member of the British Armed Forces/reserve forces, and who has made a Housing Register application within five years of their discharge; - a serving (or former serving) member of the regular or reserve forces, who needs to move because of a serious |

⁶ MARAC - A Multi Agency Risk Assessment Conference (MARAC) is a victim-focused information sharing and risk management meeting. The role of the MARAC is to facilitate, monitor and evaluate effective information sharing to enable appropriate actions to be taken to increase public safety.

| | |
|---|---|
| | <p>injury, medical condition or disability sustained as a result of their service;</p> <ul style="list-style-type: none"> - a bereaved spouse/civil partner of a member of the British Armed Forces, leaving Services Family Accommodation following the death of their spouse. <p>Members of the armed forces or their spouses do not need to demonstrate a community contribution.</p> |
| Working households | This community contribution priority is given to an applicant who is part of a working household in paid employment if more than 16hrs per person a week for a continuous period of 12 months |
| Disability | <p>This applies to:</p> <ul style="list-style-type: none"> • A household member who is disabled and under retiring age, and who has been assessed as eligible for the support element of the Personal Independence Payment (PIP) scheme, due to a permanent disability which prevents them from working or volunteering and therefore not able to give a community contribution. |
| Care Leavers (Reasonable Preference category s166A(3)(c)) | <ul style="list-style-type: none"> • The applicant has been accommodated by Havering Council's Children and Young Adults Services, and where it has been confirmed by the service that they are now ready to move on to alternative (e.g. independent or supported) accommodation. • The applicant has been assessed as having the life skills to manage a tenancy - including managing a rent account - and has the appropriate support package in place. <p>Care leavers do not need to demonstrate a community contribution.</p> |

- **Band 2b**

| | |
|--|---|
| Council tenants, with a fixed term tenancy coming to an end, referred to a new property | This applies to situations where the Council originally intended to grant a new tenancy for the current property, but has subsequently decided to grant a tenancy of an alternative property. For further information, please view the Council's Tenancy policy . |
| Council service tenants where there is a contractual obligation | <ul style="list-style-type: none"> • The applicant is a Council employee who has been living in tied accommodation (i.e. provided to them as part of their work) but needs to move out due to: <ul style="list-style-type: none"> (a) retirement, or (b) redundancy, or (c) the Council is changing, or has changed, the terms of the employee's employment. |
| Succession rights where property is not suitable | The applicant lives in a Council property and has the right of succession following the death of the tenant, but the property is too large; has had adaptations to the property that they no longer require, and/or there is an age restriction that renders them ineligible to hold the tenancy of the property. |
| Release of adapted property | The applicant is a Council tenant who is willing to transfer to a suitable, non-adapted property and is releasing an adapted house or designated older persons property. |

| | |
|---|--|
| (Reasonable preference category S.166A(3)(e)) | |
| Under-occupation (Reasonable preference category S.166A(3)(e)) | <ul style="list-style-type: none"> The applicant is a Havering assured⁷ or secure⁸ tenant who wishes to downsize. Please note that this excludes tenants living in privately leased accommodation. |
| Foster carers referred by the Council's Children's Service (Reasonable preference category S166A(3)(d) or (e)) | <ul style="list-style-type: none"> The applicant is a registered Havering Council foster carer where their current housing situation prevents them from being able to start, or continue to provide foster care or adopt. |

- Band 2c**

| Category | Criteria Guide |
|---|---|
| Volunteer (Reasonable Preference category s166A(3)(c) and (d)) | <ul style="list-style-type: none"> A member of the household has been a volunteer or an unpaid worker for more than 16 hours a week and has been continuously for the last 6 months. |
| Carer (Reasonable Preference category s166A(3)(c) and (d)) | <ul style="list-style-type: none"> The applicant gives care to a Havering resident that is substantial and ongoing. |
| (b) Move on from specialist accommodation (Reasonable Preference category s166A(3)(c)) | <ul style="list-style-type: none"> The applicant is moving on from specialist accommodation provided by either; 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. The applicant has been nominated as part of an agreement with a single homeless accommodation provider in Havering, where they are in need of settled accommodation and unable to secure it. The applicant has been assessed as having the life skills to manage a tenancy, including managing a rent account and the necessary support package in place. |
| Homeless households owed a full homeless duty under section 193(2) or 195(2). (Reasonable Preference categories s166A(3)(a)(b)) | <ul style="list-style-type: none"> Where it is in the overriding interest of the Council to prioritise an allocated place, in order to make best use of Havering's resources. Where the landlord wants the temporary accommodation property back and where; a) the tenant has been in temporary accommodation for 7 years, b) the Council has been unable to find alternative suitable temporary accommodation (i.e. end of lease agreement). |

⁷ An assured tenancy is for a fixed period , for example; one year

⁸ A secure tenancy is for a lifetime period.

| | |
|---|---|
| <p>Unsanitary conditions where the conditions pose an ongoing and serious threat to health (Reasonable preference category S.166A(3)(c))</p> | <p>The applicant is the owner-occupier/private tenant and the Council's Environmental Health Team has determined that:</p> <ul style="list-style-type: none"> the property poses a category 1 hazard under the Housing Health and Safety Rating System (e.g. crowding and space, excessive cold or risk of falls) and the Council is satisfied that the problem cannot be resolved by the landlord within six months, and as a result, continuing to occupy the accommodation will pose a considerable risk to the health of the household (this would include properties that have severe damp and major structural defects such as subsidence, flooding, collapse of roof) or the household is living conditions which are represent a statutory nuisance, and there is no prospect of the problems being remedied within a 6 month time period, or that; as an owner-occupier/private tenant, the applicant has been issued with statutory notice by the Environmental Health Team, stating it is an unfit property to be demolished under the Housing Act 2004. |
| <p>Reciprocal arrangement</p> | <p>The Council will only agree to reciprocal requests from other authorities and Registered Providers where they can demonstrate that there is imminent personal risk to the tenant or their family, and the accommodation is required in Havering, and that the reciprocal property being offered will be beneficial to Havering residents with high priority to move.</p> |

- Band 3**

People who have a need to move but do not qualify for Community contribution priority.

| Category | Criteria Guide |
|---|---|
| <p>Homeless households owed a full homeless duty under section 193(2) or 195(2). (Reasonable Preference categories s166A(3)(a)(b))</p> | <ul style="list-style-type: none"> Havering Council has accepted a duty to accommodate within the meaning of the Housing Act 1996, Part VII. |
| <p>Homeless Households</p> | <ul style="list-style-type: none"> people who are homeless or threatened with homelessness (within the meaning of Part 7, as amended by the Homelessness Reduction Act 2017); |
| <p>Overcrowding (Reasonable Preference category s166A(3)(c))</p> | <ul style="list-style-type: none"> The applicant is living in a property that has one or more bedrooms less than required under the Havering Council housing bedroom standard. |
| <p>Applicants living in unsatisfactory</p> | <ul style="list-style-type: none"> The applicant is living in a property without access to one or more of the following facilities:- |

| | |
|--|---|
| <p>housing lacking basic facilities (Reasonable Preference category s166A(3)(c))</p> | <ul style="list-style-type: none"> - a bathroom or kitchen; - an inside WC, or - hot or cold water supplies, electricity, gas or adequate heating <ul style="list-style-type: none"> • The applicant lives in private property which is in disrepair and is unfit for occupation. <p>Please note that:</p> <ul style="list-style-type: none"> • Applicants who only have access to shared facilities do not qualify under these criteria. • The above applies to private tenants living in a property that has a Category 1 risk as defined by the HHSRS. |
| <p>Moderate medical grounds (Reasonable Preference category s166A(3)(d))</p> | <ul style="list-style-type: none"> • The applicant's housing is unsuitable for severe medical reasons or due to their disability, but they are not housebound or their life is not at risk due to their current housing. However, the housing conditions directly contribute to causing serious ill-health. |
| <p>Need to move for care or support (Reasonable Preference category s166A(3) (c) and (d))</p> | <ul style="list-style-type: none"> • The applicant needs to move to receive care that is substantial and ongoing; • The applicant needs to move in order to access Social Services facilities, and is unable to travel across the Borough; • The applicant wishes to move to a certain locality, where not doing so would cause hardship (which includes those approved under Right to Move Scheme). |
| <p>Housing for older people (Reasonable Preference category s166A(3)(d))</p> | <ul style="list-style-type: none"> • Older, or disabled residents, seeking sheltered or extra care housing who are unable to meet their housing needs from their own resources (i.e. asset rich but cash poor), but agree to lease their property to the Council to use as temporary accommodation. |

2.7 Applying to join the Housing Register

Before applying to join the Housing Register, applicants are asked to check that they are suitably eligible, qualified and in housing need.

Applications to join the Housing Register are made by completing an online self-assessment form on the Council's website.

Havering Council's Housing Register team (telephone 01708 434343) will help any applicants requiring assistance with completing the online self-assessment. Those wishing to apply but are unable to access the internet at home can get free access at all Council libraries.

2.8 The Effective Date

The 'effective date' is the date that the applicant joined the Housing Register once they are approved.

If the application to join the Housing Register is re-assessed and the applicant achieves the Community Contribution priority, they will be given a new effective date, which is the

date they applied to be re-assessed. The new date will continue to apply if the applicant successfully re-applies for a higher Community Contribution priority.

If an applicant successfully applies for Band 2a from Band 2c, then their effective date will change to the date of this new banding. This also applies to applicants who successfully apply from other lower priority to higher priority bands.

If the application is re-assessed and the applicant qualifies for Band 3 only, the effective date will revert back to the original date when their Housing Register application was approved.

3. Finding a home

3.1 Tenancy types

Most applicants will be offered a fixed-term, tenancy. These allow the landlords to review the tenant's needs and situation with regularly.

The Council will normally only offer joint tenancies to applicants (including existing tenants) who have satisfied the Council of their intention to live together on a long-term basis. A joint tenancy will not be offered where an ineligible person is one of the joint tenants.

Applications for a joint tenancy will not be considered in cases where:

- there is a current Notice of Seeking Possession or Notice to Quit against a proposed joint tenant;
- the Council is contemplating serving or reserving a Notice of Seeking Possession or Notice to Quit upon the proposed joint tenant;
- there are management problems such as nuisance or anti-social behaviour on the part of the tenant or someone living with or visiting them;
- the proposed joint tenant is not maintaining an acceptable agreement in respect of rent arrears;
- One tenant was made homeless intentionally.

3.2 Housing options

Social housing is a scarce resource and while applicants may wish to consider other housing options, available both in and out of borough, to inform their choice. To enable this to happen the Council operates a Housing Opportunity Register, on which a member of the public can record their preference for housing options other than social housing. Applicants who are found not to qualify for the Housing Register will be referred to the Housing Opportunities Register. Examples for the options available are considered below.

3.2.1 Mutual Exchange

The waiting time for a social tenancy in Havering can be lengthy, so many existing tenants seeking a new property decide to opt for a mutual exchange.

A mutual exchange is when two or more tenants swap their homes; a process that requires the prior permission of the social landlord (i.e. usually councils or housing associations). Havering Council tenants can register for a mutual exchange.

The Council will only say no to a request for a mutual exchange for a limited number of reasons, as defined by law⁹. For example, a tenant may not be able to swap tenancies

⁹ the Housing Act 1985 and the Housing Act 2004

straight away if, for example, they owe rent or there are repairs needed to the property that the tenant has to carry out. However, once these matters have been sorted out, the tenant should be able to move.

A full list of reasons for not giving consent for a mutual exchange is available from the Housing Choice and Applications team. If the Council refuses a mutual exchange request, the applicant will be informed, in writing, of the reasons.

The applicant has the right to appeal the decision directly with the Council. If the applicant is disagrees with the appeal outcome, they have a further right to refer the decision to the County Court.

3.2.2 London Living Rent

London Living Rent homes are for middle-income households who now rent and want to build up savings to buy a home. This can be either through shared ownership or outright purchase. Landlords are expected to encourage their tenants into home ownership within 10 years.

The homes will be offered on tenancies of a minimum of three years. Tenants will be supported to save and given the option to buy their home on a shared ownership basis during their tenancy. They will also be given extra priority for other shared ownership homes across London. To be eligible for a London Living Rent home, you must:

- be renting in London
- have a maximum household income of £60,000
- be unable to currently buy a home (including through shared ownership) in your local area.

3.2.3 Intermediate Renting

Intermediate Rent homes are provided by housing associations offering the opportunity to rent a home at a rent that is 20% less than the market rate. The rent charged is up to 20% less than you would expect to pay for a home in a similar area if it were renting from a private landlord.

There are a range of different types of intermediate rental homes including studios, one, two and three bedroom flats and shared apartments.

3.2.4 Shared Ownership: Low-cost home ownership

Shared Ownership is where a person can buy a share of a property, paying a mortgage on that share and rent on the remaining share (a part-own/ part-rent arrangement).

If someone is on a low income, shared ownership can give them a chance to own their own home in stages. The minimum share purchase is 25% and the maximum 75%.

When their income increases, they can buy further shares in the property until they own 100% of it. For more information about Shared Ownership schemes that are currently available, please contact the Council's Home Ownership team.

Applicants who do not qualify for social housing due to coming above the required income threshold will be new Housing Opportunity Register.

3.2.5 Housing Moves & HomefinderUK

The Housing Moves scheme enables tenants of London boroughs or housing associations to move to a home in another borough, for work reasons, training or education, to free up larger homes or to care for a family member or friend.

The Council's Housing Register qualification rules do not allow someone to go on the housing waiting list if they have not lived in Havering for at least ten years. However, an exception is made for applicants who apply through Housing Moves.

The HomefinderUK National Mobility Scheme enables households on the Havering Housing Register to access social housing in other parts of the UK.

3.2.6 Tenant Incentive Scheme

The tenant incentive scheme allows a secure tenant to apply for a grant to purchase a home on the open market. The Council have in its gift to offer a grant which will amount to the value of the deposit to obtain a mortgage up to a maximum value.

3.2.7 Downsizing Incentive scheme

The Council has a 'Downsizing Incentive Scheme' to enable council tenants to move to smaller accommodation that meets their needs, and offers a cash incentive based on the level of room reduction and the associated costs to move in the event of financial hardship. It is designed to help meet the increasing demand from people living in overcrowded conditions who are on the housing register. The scheme however, is subject to change from time to time.

3.3 Bedroom size entitlements

Havering Council is committed to making the best and most effective use of its limited social housing stock by making sure those properties are not being under-occupied. Consequently, the size and type of property an applicant is allocated will depend on the size of their household.

The housing size standards operated by the Council are:

- A single parent will be treated as a couple.
- people aged 16 years or older not living as a couple should not have to share a bedroom
- people of opposite sex where one or both is over the age of 10 should not have to share a bedroom unless they are both over 16 and living as a couple
- no more than two people should have to share a bedroom
- a confirmed pregnancy over 24 weeks supported by details of the expected date of delivery counts as a child.

In exceptional cases, an extra bedroom may be agreed on medical or welfare grounds where the nature of a condition suffered by a household member makes it essential to have a separate bedroom.

Applicants may bid for properties that are a bed size smaller than their housing requirements. This decision is at the discretion of the Choice and Allocations Manager.

Where there is shared care of children

For the purpose of this policy, a child can be a son or daughter of any age.

Where an applicant has shared care of one or more children, and that care is for less than 50% of the week, the child/children will not be included in the assessment for bedroom entitlement.

Where an applicant has shared care of one or more children, and that care is for at least 50% of the week, the Council will further assess whether or not the child/children will be included in the assessment for bedroom entitlement.

The starting point will be to determine whether or not the child is already adequately accommodated¹⁰. If it is established that the child/children are not already adequately housed, the child/children can be counted as part of the bedroom entitlement.

In all cases, applicants will need to provide evidence of the shared care of any child/children which will include:

- A copy of the child's birth certificate, and
- Evidence of parental responsibility for the child/children and;
Proof of a Court Order or written agreement by the sharing parent to evidence shared care and any benefits received for the children e.g. Child Benefit or Child Tax Credits. It is expected that parents with shared care will also share any State Benefit provided for the child.

3.4 Specialist Accommodation

3.4.1 Adapted properties

The Council has a small number of properties that have been specifically adapted for disabled people. These properties are in short supply, so it is essential they are allocated to people who really need them.

Adapted properties, and those suitable for adaptation, for applicants with a substantial disability may be advertised or offered directly to the most eligible applicant. If there are several applicants for whom the property would be suitable, allocation will be decided in band, and then date, order.

Council tenants who are currently living in adapted accommodation but no longer need it are encouraged to move to suitable non-adapted accommodation. These applications will be placed in Band 2a.

3.4.2 Housing for older people

The Council offers two types of supported housing schemes¹¹ for older people – Sheltered Accommodation and Extra Care Accommodation – the main difference being in the facilities and level of support provided.

- **Sheltered Accommodation**

Sheltered Accommodation is offered to people who require a medium or high level of support due to frailty, ill-health or restricted mobility. Communal facilities include a lounge

¹⁰ "Adequately accommodating" means that the child either has his/her own bedroom or is sharing appropriately in line with the Bedroom Standard.

¹¹ Supported housing is a housing scheme offering housing, support and sometimes care services in a single, complete package.

and laundry facilities, and a dedicated scheme manager provides residents with advice and support.

In order to be eligible for supported accommodation, applicants must meet all of the following criteria:

- 55 years old or over
- Single or joint applicants with no dependants
- In need of the housing support provided by the scheme

In addition, applications may be considered from owner-occupiers aged over 60 and who have been assessed as being unable to meet their housing needs from their own resources.

The Council can assist these people by offering supported accommodation on the basis that the owner agrees to lease their property to the Council to be used as temporary accommodation. In this case, applicants will be visited and assessed to ensure that they can live independently (with a care package, if required).

If the applicant's accommodation and support needs are considered too high for sheltered accommodation, the application will be referred for consideration for Extra Care housing.

- **Transferring within a Sheltered Housing scheme**

Where an applicant lives in Council owned sheltered accommodation, on the first or higher floor without a lift, priority can be awarded to facilitate a move to the ground floor due to medical needs.

The decision to award the priority is made by the Housing Choice and Applications manager. Applicants should identify why they need to move to a lower level – this will typically be as a result of deteriorating health and mobility issues. Where an urgent move is necessary, a medical assessment will be carried out in line with the criteria for Medical Priority.

- **Extra Care housing**

Extra Care housing is for people who require a substantial amount of personal care and housing support, and who might otherwise have to move into residential care.

Applications for Extra Care housing can be made direct to the Council's Social Care or Housing teams.

Please note that Extra Care housing is allocated outside of the Council's Choice Based lettings process and that a separate eligibility criteria and process applies.

3.4.3 Shared Council Housing – For leaving carers

Young people leaving care are an identified group at risk of failing to sustain their tenancy.

The policy will enable this group to share two-bedroom accommodation as part of their tenancy and skills development programme.

In the event there is a failure of tenancy this group will be referred back to supported accommodation for further development of their independent living skills.

3.5 Special circumstances

3.5.1 Decants

Decants occur when the Council has decided that a transfer to alternative accommodation offers the best way of ensuring that development, modernisation, conversion or essential repair works go ahead without causing huge disruption or hardship to the tenants. Decants can be on a temporary or permanent basis.

The Council will consider the likely impact of the planned repairs and improvements, and whether they will be so disruptive that it would be unreasonable to expect the tenant to remain in the property while the works are carried out.

Additionally, the Council will consider whether or not, for technical or safety reasons, it is feasible for the tenant to remain in their home while the works are carried out around them.

For the tenant to be awarded decant priority, equivalent in priority need to the band 1, the Council must be satisfied that the work will be so disruptive that it cannot be completed with the tenants remaining in occupation and either:

- The work is likely to take more than three months to complete; or
- The health of the tenant or a member of their household will be severely affected if they have to leave their home and then move back again at a later date

Permanent decants

This will take place if the work is likely to take more than three months to complete and/or it would not be reasonable for the tenant to have to leave their home and then move back again at a later date.

The tenant may be awarded priority for a transfer to suitable alternative accommodation. If a tenant does not want to be permanently decanted to alternative accommodation, they will have the right to return to their existing home.

Tenants that need to be decanted from their homes on a permanent basis as a result of redevelopment or regeneration will be moved in a planned way.

Each redevelopment/ regeneration scheme will be subject to consultation, equalities impact assessment and approval by Cabinet. When decant status has been authorised, tenants will be placed Band 1 on a phased basis so they may bid for an alternative home.

If they fail to successfully bid for a property a direct offer of accommodation will only be considered in exceptional circumstances and if none exist the Council may decide to take possession proceedings. Existing secure tenants whose homes are due to be demolished will have priority for the new replacement homes being provided on their estate in accordance with the provisions agreed for each estate, before they are made available to any other applicants.

Further details about this are available in the Council's Regeneration - Local Lettings plan. Please note: This does not apply to applicants living in temporary accommodation.

3.5.2 Property under-occupation

While council tenants have the right to continue to live in a property even if it is too large for them, the Council encourages them to move to a more-suitably sized property, to make larger homes available to younger families who need somewhere to bring up their children.

Older under-occupiers are also encouraged to move to a property more suited to their needs and more cost effective to run. Applications from Council or housing association

tenants who are under-occupying by one or more bedrooms and are willing to move to a property with fewer bedrooms will be accepted and will be placed in Band 2a.

3.5.3 Tenants in service

Employees of Havering Council who have a service tenancy associated with their employment may be re-housed in the following circumstances where the council has a contractual obligation to do so:

- Upon retirement
- Upon redundancy or where the council is changing the terms of their employment
- If the property is due to be sold and/or demolished, or have extensive works completed, necessitating a decant.

3.5.4 Succession rights

Where a person lives in a Havering Council property and has the right of succession following the death of the tenant, but the property is:

- So large that they would be under-occupying
- Has adaptations that they do not require; and/or
- There is an age restriction that renders them ineligible to hold the tenancy of the property.

If an 'under-age' spouse living in sheltered accommodation succeeds the tenancy on the death of the tenant, they must agree to move to non-sheltered accommodation. In exceptional circumstances, and at least where one other statutory agency agrees, the Director of Housing Services may decide that there are good reasons to grant a tenancy of the property currently occupied.

3.5.5 Exceptional circumstances

If an applicant has an exceptional need that is not covered by this policy, the Director of Housing has the authority to make a decision based on the merits of the case.

3.6 Local Lettings Plans and Sensitive Lettings

Sometimes, a Local Lettings plan (LLP) will be developed by the Council or the housing provider (e.g. the housing association) which, upon mutual agreement, will be put in place for a specific area or estate on new developments.

The aim is to work towards creating more balanced local communities, by taking into account local considerations such as household types; child density or the proportion of households in employment. In all cases, the approach will reflect any particular communal issues or problems that may present within the area/estate.

In order to implement the policy, it may be necessary to offer the social housing to applicants who are in a housing need band that is lower than we would usually offer to.

The Council may also make targeted offers to suitable applicants in particular circumstances. The offer will be made to those with the earliest priority date in the highest band that meets the criteria within the local lettings policy.

The enforcement of a Local Lettings plan will adhere to the following principles:

- They will be developed to meet the specific needs of a local area;
- There will be a clear evidence based need for the plan;

- There will be developed and approved with an agreed procedure that must have specific aims that may be reviewed periodically;
- Equality Impact Assessment must be done;
- Local Lettings plans must be consulted on

The decision to implement a Local Lettings plan is approved by the Director of Housing, in consultation with the Lead Cabinet Member for Housing.

For homes in the borough owned by a registered social landlord where the Council has nomination rights, approval is made between the Director of Housing and a senior manager from the registered social landlord.

3.6.1 Sensitive lettings

Sensitive lettings allocate tenancies to contribute to sustaining communities where concentrations of anti-social behaviour are disproportionately high.

Sensitive lettings requests will only be accepted where it can be demonstrated that:

- The neighbouring tenants have experienced either harassment, noise nuisance or un-tenant like behaviour over a period of time or of an excessive nature, and
- Incidents have been recorded, and
- Action has been taken by the landlord or there is a public protection issue that must be managed.

3.7 – Choice-based lettings

Havering Council aims to maximise the choice of accommodation offered to those wishing to rent a social or affordable home in Havering by operating a Choice-based lettings (CBL) system.

A CBL scheme gives people the chance to choose which Council house or housing association accommodation they want and makes the complex decision of which property to choose one for the applicant. It works on a bidding principle, as and when properties become available.

The Council's CBL scheme is called Choice Homes, and anyone placed on the Housing Register can bid for a home they want to live in. The bidding system does not involve any payment for a property – it is merely an indication of the applicant's preference in a particular property.

When a property becomes vacant, the Council will first check whether the property is particularly suited to an applicant with special requirements; for example, a household that urgently requires an adapted property for disabled people; where there is a recommendation from the police, social services or other professional agency for a specific type of accommodation to meet an individual need, or where a vulnerable applicant is unable to participate in the bidding system. If so, the property will be offered directly to the applicant without advertising it.

3.7.1 - Advertising available homes

Available properties that have not been directly offered are advertised on the [Choice Homes](#) website, although the means of advertising properties may change from time-to-time.

The available property will be described (sometimes called 'labelled') in a way that provides as much relevant information as possible, including:

- the size and type of property
- the floor level of the property
- the type of heating
- the rent and/or service charge
- any special facilities or adaptations
- whether pets are allowed, or not

Applicants are strongly advised to study the description carefully, as some properties may be restricted to particular groups. When an applicant sees a property that they are interested in, they are strongly recommend to visit the road, neighbourhood and consider local schools, shops, parks and other amenities before placing their bid.

3.7.2 The bidding process

Applicants must meet the labelling criteria and place their bid by the publicised deadline. Applicants will generally be able to make expressions of interest each weekly advertising cycle, and bid for up to two properties per cycle.

Applicants who require assistance with using the scheme will be able place a bid for a property by telephone or by the smartphone app. Additionally, they can bid by means of the Choice Home website, or by mobile phone text messaging.

Bids are prioritised by band; from Band 1 to Band 3, with applicants having the longest waiting time coming first in the band. The applicant can withdraw their bid at any time during the bidding cycle.

3.7.3 Auto-Bids

For those unable to bid due to support needs, the Council offers an auto-bidding system that will automatically place bids for all appropriately-sized properties requested by the applicant.

The applicant specifies the area and type of property they are interested in and housing officers can set up the bidding system to automatically place bids on up to two properties matching their description every week. The system will also tell the applicant how many other people with a higher priority have bid for the same property.

3.7.3 Monitoring bidding activity

The Council monitors online bidding activity.

If an applicant does not bid for suitable properties that have been advertised for six months from the date they are accepted on the Housing Register, they will be contacted to find out the reason/s why.

They will also be advised that their place on the Housing Register could be suspended for a period of six months. The applicant will be notified when this decision is made.

In making the decision, the Council will take into account if there have been no suitable properties advertised or whether there are special circumstances for the applicant not bidding.

1. How housing applications are processed

4.1 – How bids are shortlisted

When the advert deadline has passed, a shortlist of eligible applicants will be produced firstly by Banding order and then by Effective Date order - with the oldest effective date given top priority.

4.2 – Viewing a property

Following production of the shortlist, arrangements will be made by the relevant landlord (i.e. Havering Council or a Housing Association/Registered Provider) for the shortlisted applicants to view the property as soon as possible.

The invitation to view a property is made via a telephone call and/or an SMS text message. This is immediately followed up by an email or letter confirming the viewing.

4.3 - How housing offers are decided

The Council operates a Priority Viewing system, which means that a shortlisted, priority applicant will be invited to view the property.

At the time of being contacted by phone and/or SMS text message, the Council will ask the applicant to confirm within 24 hours that they will attend the viewing. Failure to confirm attendance will be taken as withdrawing the bid and the next shortlisted applicant will be invited to view the property.

In instances the property has proven difficult to let, the Council may carry out multiple viewings, whereby a set number of bidders will be invited to view the property at the same time. The top priority applicant will be asked to view the property and if they do not accept then the next applicant will be offered the property, and so on.

Viewings are conducted in adherence to Council's Health and Safety guidelines and usually requires only the named applicant to attend the viewing. During the viewing, an applicant will be given further information about the property, the repairs to be carried out, the date when the property is expected to be available and any special conditions of tenancy.

Applicants must advise the landlord before leaving the viewing whether they would accept the property. If the applicant does not give their decision within 24 hours of the viewing, or does not attend, it will be will take that they are no longer interested in the property, in which case the next shortlisted applicant will be invited to view the property.

Once the applicant has indicated that they will be willing to accept the property a formal, written offer will be made.

Failure to bid or serial viewings

Applicants that on the housing register who have a reasonable chance of being successful in bidding for a properties, who do not bid for a period of 6 months will be contacted and advised on the process of bidding and offered any support required. If they then fail to bid for another six months then they may be suspended from the register.

Applicants who are successful in coming top of a shortlist and viewing properties for successive properties, and either do not accept the property or fail to attend the viewing, will be contacted and offered advice and support in looking for suitable properties.

The Council reserves the right to remove them from future shortlists if it is believed they may not accept the property or attend the viewing.

4.4 Tenants moving to a new property

Transferring tenants will be expected to give notice on their current tenancy. Council tenants will be required to pass a transfer inspection of their existing property before any new tenancy agreement is signed. Failure to pass the inspection will result in the offer being withdrawn.

Registered Provider tenants may also need to undergo an inspection and should advise their housing officer as soon as the offer has been made.

4.5 Feedback on let properties

The Council considers feedback on let properties as important, because it helps applicants to assess their housing prospects and make informed choices about their future housing. The Council will publish feedback on each property that has been let through its Choice Homes choice-based lettings scheme on a monthly basis, giving:

- The size, type and location of the property
- The number of applicants who bid for the property
- The band and effective date of the successful bidder.

Additionally, the feedback will include information on any 'direct lets'- let properties that were not advertised through Choice Homes.

4.6 Withdrawing an offer of accommodation

The Council will withdraw its offer of accommodation if it is discovered that the applicant:

- Or others on their housing application are, or have been, guilty of unacceptable behaviour, and it is of a type and severity that would have entitled the Council to have obtained a possession order had we been the landlord.
- Has breached a tenancy with the Council or another landlord owing through fraudulent behaviour or causing serious damage to property.
- Has previously gained a tenancy, or attempted to do so, by means of:
 - a. knowingly or recklessly has given false information in respect of any matter relating to their application
 - b. has withheld information or failed to notify the Council of any changes in their circumstances may affect their eligibility, qualification and/or priority for housing. This could lead to their possible removal from the Housing Register.

Offer withdrawal may also take place if

- The property details available at the time that the written offer was made were found to be incorrect and it was subsequently discovered that the size and type of the property did not, in fact, match the applicant's needs, and/or
- The relevant housing officer decides that, taking all factors into account, the property should not have been offered to the applicant.

4.7 Refusing an offer of accommodation

If an applicant refuses a formal offer, they will be asked to complete a form setting out their reason/s.

Their reasons will be duly considered and if it is decided the offer was unreasonable, the applicant will be allowed to remain on the Council's Housing Register and continue to bid for properties.

If, on the other hand, it is decided that the offer was reasonable then, depending on the applicant's circumstances, we will write to the applicant to:

- explain the reason/s why their refusal was decided to be unreasonable
- confirm that:
 - c. their application will be cancelled and that they will be disqualified from re-applying for housing for 12 months, **or**
 - d. the Council's duty to provide accommodation in relation to the applicant has been discharged.

Applicants must think carefully about whether to accept or refuse an offer as this could have a significant impact on whether, and/or when we will make an applicant another offer.

The property will not usually be held vacant while the reasons for the refusal are considered. It will normally be offered and let to another applicant unless the offer is to an applicant that the Council is ending its rehousing duty to; for example, a homeless household, management transfer tenant etc.

In such cases, the offer may be held for a short period, (usually no longer than 48 hours), while the reasons for the refusal is considered. The applicant will be advised of the possible consequences and given a chance to reconsider their decision to refuse the offer.

Please note that an applicant can ask for a suitability review of the accommodation offered, regardless of whether they accept the offer or not.

5. Appeal procedure

Applicants have the right to information about certain decisions, which are taken in respect of their application, and the right to review those decisions.

5.1 – Stages of appeal

Stage 1 - Notification of the decision

An applicant will be notified of the decision in writing by the Housing Choice & Applications Officer.

The notification will give clear grounds for the decision and must be based on the relevant facts of the case. It will advise that the applicant has 21 days from the date of refusal to appeal the decision.

Where a notification is sent to an applicant at the given contact address, but the applicant does not receive it, it can be treated as having been received if a copy of the notification is available on the applicant's file.

Where an applicant has difficulty in understanding the implications of a decision, the Council will make arrangements to advise the applicant verbally.

Applicants can request representations on an appeal decision via a named representative. The Council will acknowledge this representation so long as it is authorised with the applicant's written consent.

Stage 2 - 21 Days to Appeal

Applicants who wish to appeal for a review of a decision should, in the first instance, contact the housing officer who has dealt with their case, giving their reasons why they think that the decision is unreasonable.

The applicant will be notified, usually within 48 hours from the date of refusal, whether the decision still stands and provided with supporting information.

If the applicant then wishes to request a review of the decision, it should be made in writing within 21 days, either by email to: housingapplicationappeal@havering.gov.uk or by post to:

The Reviews & Appeals Officer
Housing Demand Service
Havering Council
Mercury House
Mercury Gardens
Romford, RM1 3DT

Where an applicant is unable to request a review in writing, they can ask someone else to do this on their behalf, or ask us to hear their case orally. It will also be possible for their nominated representative to submit an appeal on behalf of the applicant.

Stage 3 – The review

An officer who is senior to the original decision maker will carry out the review of the decision.

The review will be considered based on the processes set out in this policy, legal requirements and all relevant information relating to the application, including any further relevant information was not available at the time of the original decision.

Stage 4 - Notification of the outcome

The applicant will be notified about the outcome of the review within 56 days from the date the appeal was received. The notification will also detail the reasons why the original decision has been changed or upheld.

There is no further mechanism to review the decision, however, the applicant can take legal action to challenge the Council's decision through judicial review proceedings.

The applicant may also complain to the Housing Ombudsman if they consider the Council's actions amount to maladministration.

Please note that the onus to explain any change of circumstances will remain with the applicant throughout.

5.2 Appeal procedure for the statutory homeless

If the Council has accepted a full statutory duty to house an applicant under the Housing Act 1996 Part VII as amended by the Homelessness Reduction Act 2017, and they have refused a suitable property offered to them (including an offer of private rented accommodation), the Council will end its statutory duty.

The applicant can request a review of the decision to end the statutory duty and/or the Council's decision that the property is suitable. The request should be made, in writing, to the Council within 21 days from the date the offer of accommodation was made to the applicant and should set out the reason/s why they think the property is unsuitable.

The review appeal will be considered by a senior officer who was not involved with the original decision, and will aim to reply, in writing, to the applicant within 56 days (eight weeks) from the date the request was received.

If an applicant is dissatisfied with the Council's decision on review, or no decision has been made within the 56 days (unless there has been an agreed extension), the applicant may appeal to the County Court. Appeals to the County Court, including the procedure and time limits are technical matters, and the applicant may wish to seek independent legal advice (e.g. from the Citizens Advice Bureau or from a solicitor) before doing so.

5.3 Comments and complaints

Havering Council is committed to responding quickly, thoroughly and effectively to any comments or complaints it receives, and to use this information to help further improve the service it provides to local residents.

We welcome complimentary feedback when we get it right, and any service improvement suggestions you may wish to offer. Like most large organisations, occasionally we don't get things quite right and you may decide to raise a complaint about the service you have received.

In the first instance, please would you raise the matter with the officer that you have been dealing with, and, if the matter is not satisfactorily resolved, escalate the matter to their supervisor. Often, this is the quickest and easiest way of dealing with such matters.

However, if you feel uncomfortable doing this, or remain dissatisfied with the way the matter has been handled, we have a formal complaint procedure that can be used, which is detailed on our website at www.havering.gov.uk/complaints.

We constantly endeavour to deliver the best possible standards of service to our residents and treat complaints very seriously. We will aim to reply to any complaint with 10 working days from the date of receipt.

6. Implementation of this policy

This policy will take immediate effect from XX XXX 2021.

6.1 Monitoring and review of this policy

In the interests of continuous improvement, this policy will be reviewed annually to ensure it remains relevant, up-to-date and fit-for-purpose for Council and the residents of Havering.

For further information about the details of this policy or assistance, please contact the Housing Choice and Applications manager at Havering Council by email at housingneeds@havering.gov.uk.

6.2 Delegated authority to make minor changes to this policy

To ensure that this policy operates fairly and legally, the Director of Housing in consultation with the Lead Cabinet Member of Housing will be able to approve minor

amendments to the policy. These are amendments that do not significantly change this policy or associated procedures.

Housing Allocation policy

APPENDIX 1 – Community Contribution reward: Qualification Criteria

Community Contribution Reward - scheme 1

| | Definition | Supporting evidence required |
|------------------------------|--|--|
| Working households | <p>The sole or one of the joint applicants:</p> <ul style="list-style-type: none"> • Works at least 16 hours per week for 6 out of the last 12 months • For those aged 70+ years, works at least 5 hours per week for 6 out of the last 12 months. • Has a permanent contract, temporary contract, or • Is self-employed and can demonstrate that they have been for at least 12 months. <p>Breaks in employment Where an applicant loses employment they will no longer qualify for the Reward. However, we recognise that in the current economic climate, people can lose their job from time-to-time. If further employment is gained within the next 6 months, the application can be reinstated with no loss of accrued waiting time</p> <p>Pregnancy and maternity/paternity leave</p> <ul style="list-style-type: none"> • Applicants who are on maternity leave or paternity leave but remain in employment can also qualify for this award. | <p>Original contract of employment, 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.</p> <p>If the applicant is self-employed, we will need to see a minimum of 12 months continuous documented tax returns containing reference to the self-employed activity.</p> <p>In the case of pregnancy and maternity, we will need written evidence of statutory maternity pay.</p> |
| Ex-services personnel | <p>The sole or one of the joint applicants:</p> <ul style="list-style-type: none"> • who have served in the British Armed Forces at any time in the five years prior to making an application, or • are close to leaving at present, and • was not dishonourably discharged. <p>This includes people who have served in the Royal Navy, Royal Air Force and British Army.</p> | <p>Original Certificate of Cessation of Entitlement to Occupy Service Living Accommodation will need to be provided.</p> <p>Service with the armed forces will be confirmed with the Royal British Legion.</p> |
| Fostering or adopting | <p>Applicants living in Havering who would like to foster or adopt a child (and/or more</p> | <p>A letter from Havering Council's Children and Young Adult Service</p> |

| | | |
|----------------------------|---|---|
| | <p>children), but are unable to as they currently live in an inappropriate property.</p> <p>The property must be considered inappropriate either due to the property size or the tenure type.</p> <p>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).</p> | <p>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.</p> |
| Disabled households | <p>A disabled applicant under retiring age who has been assessed as eligible for the support element of Employment and Support Allowance due to a permanent disability which prevents them from participating in work related activities.</p> | <p>A letter from Department of Work and Pensions confirming receipt of Employment and Support Allowance.</p> |
| Volunteering | <p>The sole applicant or one of the joint applicants volunteers for:</p> <ul style="list-style-type: none"> • a minimum of 16 hours a week • those aged 70+ years, for a minimum of 5 hours a week • Not for profit organisations or groups, including a charity, or community or faith group recognised by Havering Council's Active Living programme, or <ul style="list-style-type: none"> - registered as a charity with a premises in Havering, or - registered with Havering Volunteer Centre (Havco) • a continuous period of at least 6 months up to the point of application and continuously until the point of offer. • Within the London Borough of Havering. | <p>An original letter on the organisations 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.</p> <p>This person must not be related to the applicant in any way.</p> |
| Carers | <p>An applicant who is:</p> <ul style="list-style-type: none"> • Providing full time care (minimum of 35 hours per week) to an elderly person or disabled child and • Is in receipt of full carers' allowance • Where carers' allowance is not payable because of the carer's age or other benefit restriction, evidence will be required to prove the applicant's status | <p>Confirmation of receipt of carers' allowance or other evidence from a statutory agency or relevant medical practitioners.</p> |
| Downsizing | <ul style="list-style-type: none"> • The applicant is a Havering social housing tenant holding a secure, assured or fixed term tenancy who wishes to move to a property with | <p>A reference from the landlord (either the Council or a housing association) confirming that the applicant is living in a</p> |

| | | |
|--|---|---|
| | <p>fewer bedrooms and is not impacted by housing benefit/bedroom tax. NOTE: this does not apply to Private Sector Leased (PSL) tenants, or</p> <ul style="list-style-type: none"> • The applicant is 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 their current property if they move. <p>If the applicant want to downsize you must move to a property with fewer bedrooms.</p> | <p>property that is too large for their needs. 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> |
|--|---|---|

Housing Allocation policy

APPENDIX 2 – Adapted Housing – mobility categories

Vacancies which are adapted or which are suitable for adaptation for applicants with a substantial disability may be advertised or offered directly to the most appropriate applicant. The Council reserves the right to allocate to a high priority applicant in need of such accommodation.

The categories used are in line with the categories described by the London Accessible Housing Register (LAHR). The LAHR has been developed to help make better use of accessible homes and to enhance the choice of homes for people with mobility needs.

Mobility Categories - Assessment of Mobility Need

A household’s mobility needs will be assessed based on three categories (A, B & C) of mobility. These are in line with the categories described by the London Accessible Housing Register (LAHR). Qualifying applicants will be advised of their mobility category in writing.

The Council will use the following categories to identify the mobility needs of those using Havering’s Choice Homes website and to show the types of adaptations in homes:

| Category | Applicant profile | Examples of adaptations |
|---|---|---|
| MOBILITY - A  | The household has a member with significant mobility needs and who uses a wheelchair indoors and outdoors at all times. | <ul style="list-style-type: none"> • Level access • No stairs • Property adapted to a wheelchair standard • Level platform at main entrance • No changes in level throughout (inside and outside), or adapted to include lift/ramp access. |
| MOBILITY - B  | The household has a member with mobility needs who mainly uses a wheelchair outside and cannot manage steps or steep gradients. | <ul style="list-style-type: none"> • With level access throughout (inside and outside), or adapted to include lift/ramp access • Wide Main/Communal door/s • Bathroom containing toilet, basin and accessible bath/shower. |
| MOBILITY - C  | The household has a member with some mobility needs who is able to manage up to two steps to access the home | <ul style="list-style-type: none"> • On the ground floor with up to 2 steps access • Pathway/driveway/ramp from pavement level or parking space, no steep gradients |

| | | |
|--|--|--|
| | | <ul style="list-style-type: none">• Bathroom suitable size to be adapted |
|--|--|--|

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TOWNS AND COMMUNITIES OVERVIEW AND SCRUTINY SUB-COMMITTEE, 09 FEBRUARY 2021

| | |
|---|---|
| Subject Heading: | Quarter 3 performance report |
| SLT Lead: | Jane West, Chief Operating Officer |
| Report Author and contact details: | Cynthujaa Satchithanathan, Customer Insight Officer x4960 |
| Policy context: | The report sets out Quarter 3 performance relevant to the Towns and Communities Overview and Scrutiny Sub-Committee |
| Financial summary: | There are no immediate financial implications. Adverse performance against some Performance Indicators may have financial implications for the Council. Whilst it is expected that targets will be delivered within existing resources, officers regularly review the level and prioritisation of resources required to achieve the targets agreed by Cabinet at the start of the year. |

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

| | |
|-------------------------------|-------------------------------------|
| Communities making Havering | <input checked="" type="checkbox"/> |
| Places making Havering | <input checked="" type="checkbox"/> |
| Opportunities making Havering | <input checked="" type="checkbox"/> |
| Connections making Havering | <input type="checkbox"/> |

SUMMARY

1. This report supplements the presentation attached as **Appendix 1**, which sets out the Council's performance against indicators within the remit of the Towns and

Communities Overview and Scrutiny Sub-Committee for Quarter 3 (October to December 2020).

RECOMMENDATION

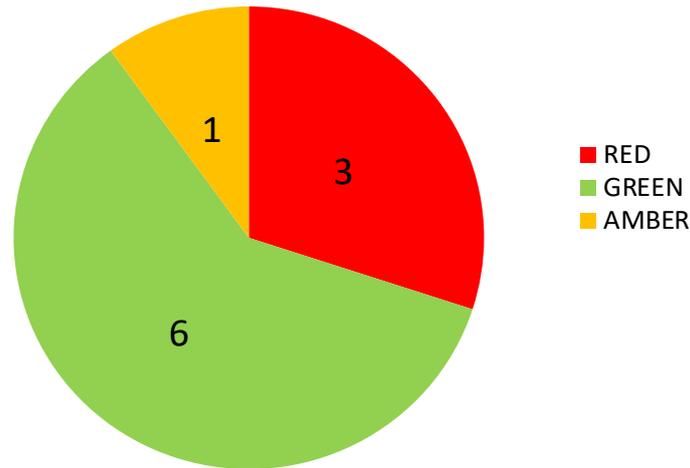
That Member of the Towns and Communities Overview and Scrutiny Sub-Committee note the contents of the report and presentation and make any recommendations as appropriate.

REPORT DETAIL

1. The report and attached presentation provide an overview of the Council's performance against the performance indicators selected for monitoring by the Towns and Communities Overview and Scrutiny Sub-Committee. The presentation highlights areas of strong performance and potential areas for improvement.
2. The report and presentation identify where the Council is performing well (**Green**) and not so well (**Amber** and **Red**). The RAG ratings for the 2020/21 reports are as follows:
 - **Red** = more than the 'target tolerance' off the quarterly target
 - **Amber** = within the 'target tolerance' of the quarterly target
 - **Green** = on or better than the quarterly target
3. Where performance is off track against the quarterly target and the rating is '**Red**', 'Improvements required' are included in the presentation. This highlights what action the Council will take to address poor performance.
4. Also included in the presentation (where relevant) are Direction of Travel (DoT) columns, which compare:
 - Short-term direction of travel – with performance the previous quarter (Quarter 2 2020/21)
 - Long-term direction of travel – with performance during the same time the previous year (Quarter 3 2019/20)
5. A green arrow (↑) means performance is better and a red arrow (↓) means performance is worse. An amber arrow (→) means that performance has remained the same.
6. It is important to note that though service delivery is returning to business as usual, there will be still be an impact on performance due to COVID-19.

7. In total, eleven performance indicators have been included in the Quarter 3 2020/21 report and presentation. Of these, ten have been assigned a RAG status. Three are currently rated 'red' (off track), one is rated 'amber' and six are rated 'green' (on track).

Q3 2020-21 Indicators Summary



IMPLICATIONS AND RISKS

Financial implications and risks:

There are no financial implications arising directly from this report which is for information only.

Adverse performance against some indicators may have financial implications for the Council, particularly where targets are explicitly linked with particular funding streams and/or levies from other bodies. Whilst it is expected that targets will be delivered within existing resources, officers regularly review the level and prioritisation of resources required to achieve the targets agreed by the Cabinet at the start of the year.

Robust ongoing monitoring is undertaken as part of the established financial and service management processes. Should it not be possible to deliver targets within approved budgets this will be raised through the appropriate channels if required.

Legal implications and risks:

Whilst reporting on performance is not a statutory requirement, it is considered best practice to regularly review the Council's progress.

Human Resources implications and risks:

There are no HR implications or risks involving the Council or its workforce that can be identified from the recommendations made in this report.

Equalities implications and risks:

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have due regard to:

- (i) the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) the need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are: age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.

BACKGROUND PAPERS

Appendix 1 - Towns and Communities Q3 Presentation



Haverling

LONDON BOROUGH

Quarter 3 Performance Report 2020/21

Towns and Communities O&S Sub-Committee

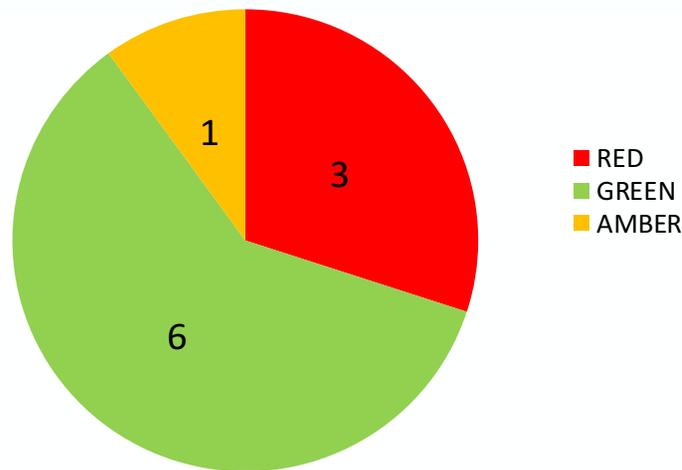
February 2021

Towns and Communities O&S Committee Performance Report

- Overview of the key performance indicators as selected by the Towns and Communities Overview and Scrutiny Sub-Committee
- The report identifies where the Council is performing well (**Green**), and not so well (**Amber** and **Red**).
- Where the RAG rating is '**Red**', '**Corrective Action**' is included. This highlights what action the Council will take to address poor performance.
- It is important to note that though service delivery is returning to business as usual, there will be still be an impact on performance due to COVID-19.

OVERVIEW OF TOWNS AND COMMUNITIES INDICATORS

Q3 2020-21 Indicators Summary

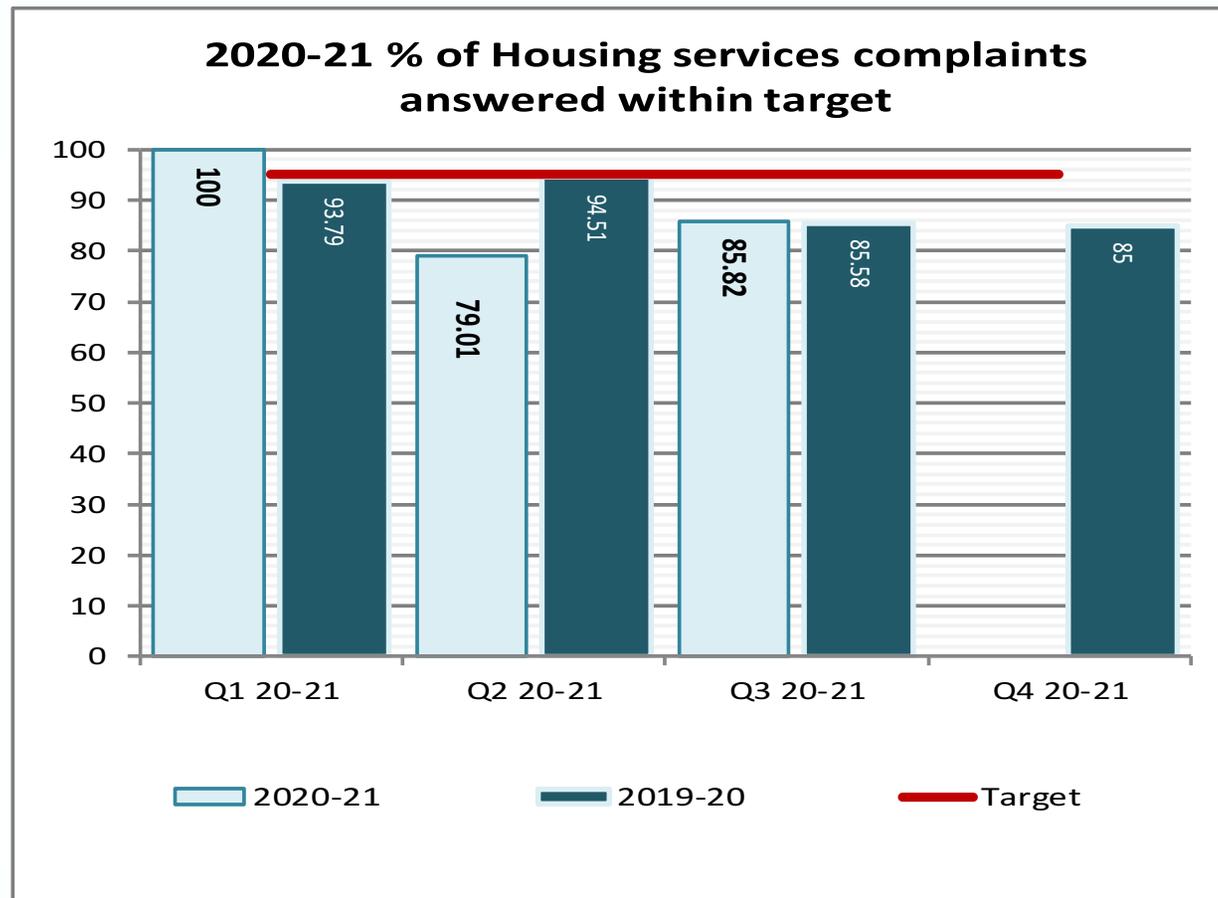


- 11 Performance Indicators are reported to the Towns and Communities Overview & Scrutiny Sub-Committee.
- Data is available for all the indicators.
- Q3 20/21 Performance ratings are available for 10 of the 11 indicators. 3 are **Red** (off target), 1 are **Amber** and 6 is **Green** (on target)

Quarter 3 2020-21

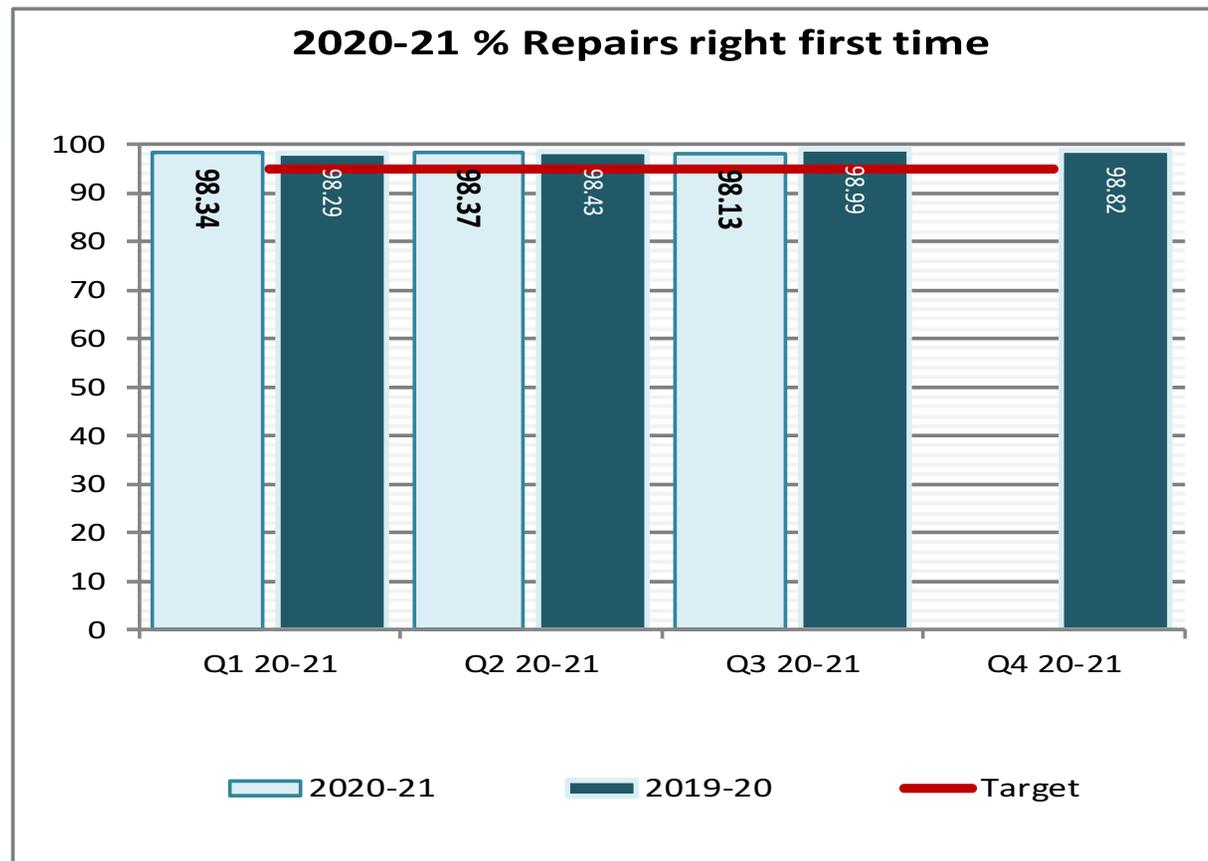
| Indicator and Description | Value | 2020/21 Annual Target | 2020/21 Q3 Target | 2020/21 Q3 Performance | Short Term DOT against Q2 2020/21 | | Long Term DOT against Q3 2019/20 | |
|---|-------------------|-----------------------|-------------------|------------------------|-----------------------------------|----------------|----------------------------------|----------------|
| % of Housing services complaints answered within target time | Bigger is better | 96% (5%) | 96% (5%) | 85.82% (Red) | ↑ | 79.10% (Red) | ↑ | 85.58% (Red) |
| Repairs right first time (Breyer Contractor only) | Bigger is better | 95% (5%) | 95% (5%) | 98.13% (Green) | ↓ | 98.37% (Green) | ↓ | 98.99% (Green) |
| Percentage of all repairs completed within target Main Contractor(s) (cumulative) | Bigger is better | 95% (5%) | 95% (5%) | 92.76% (Amber) | ↓ | 94.40% (Amber) | ↑ | 92.3% (Amber) |
| % HRA Gas servicing compliance (General needs & Sheltered) | Bigger is better | 100% | 100% | 100% (Green) | ↑ | 99.94% (Red) | ↑ | 99.93% (Red) |
| % of fire risk assessments due | Bigger is better | 100% | 100% | 100% (Green) | ↔ | 100% (Green) | ↔ | 100% (Green) |
| Percentage of HRA arrears over debit | Smaller is better | 1.40% | 1.40% | 2.75% (Red) | ↑ | 3.26% (Red) | ↓ | 2.47% (Red) |
| Total current UC tenants arrears (General, sheltered, HMO & AST) | Smaller is better | Demand Pressure | Demand Pressure | £1,097,083 | ↑ | £1.3M | ↓ | £726,520 |
| Average days re-let time of ALL HRA Voids | Smaller is better | 14 days | 14 days | 39.67 (Red) | ↑ | 40.29 (Red) | ↓ | 15.8 (Red) |
| Major Planning Applications completed within Target | Bigger is better | 65% | 65% | 89.47% (Green) | ↑ | 86.67% (Green) | ↑ | 86.00% (Green) |
| Minor Planning Applications completed within Target | Bigger is better | 65% | 65% | 82.82% (Green) | ↑ | 78.76% (Green) | ↑ | 81.90% (Green) |
| Other Planning Applications completed within Target | Bigger is better | 80% | 80% | 92.59% (Green) | ↑ | 91.48% (Green) | ↓ | 93.60% (Green) |

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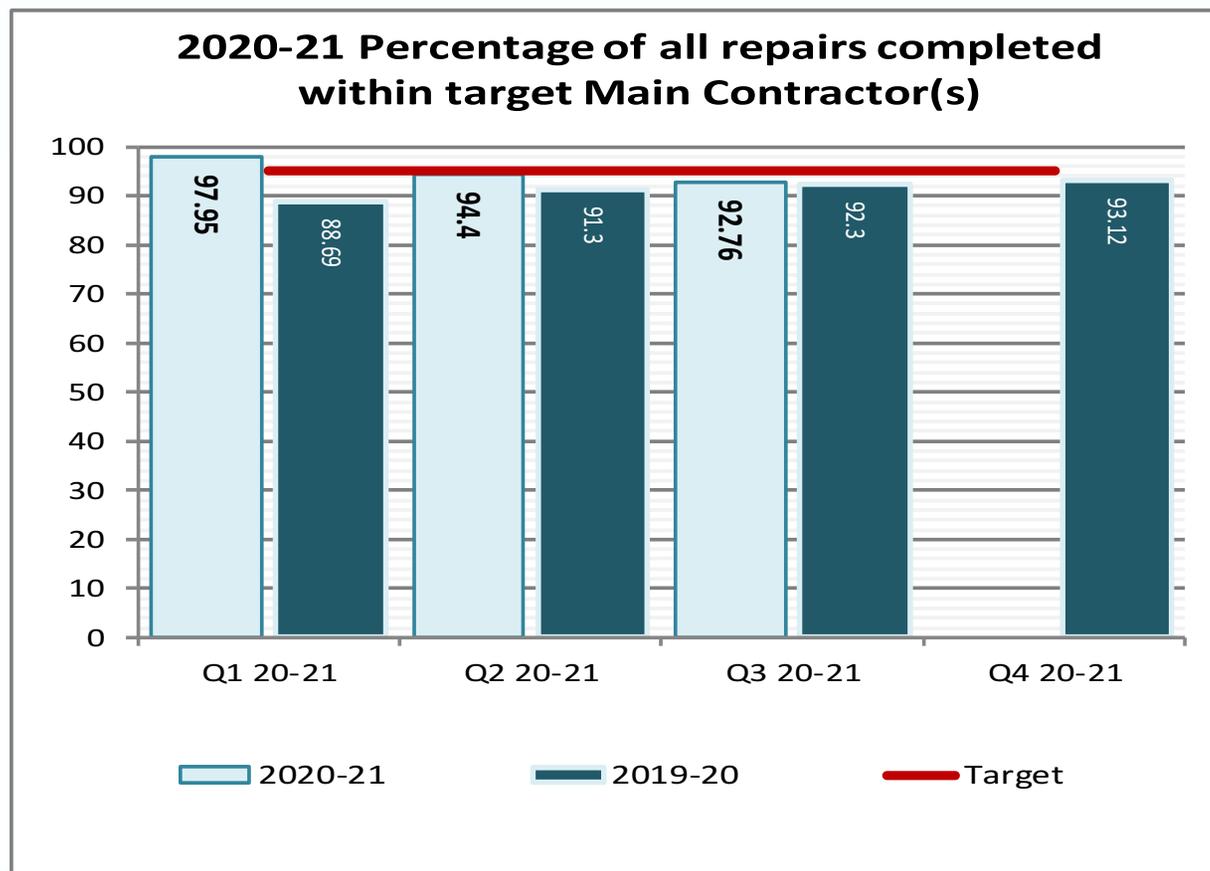
At the end of Q3 2020-21 a total of 333 complaints were answered within the 10 days target out of a total of 388 complaints which were received between April and end of December 2020 for Housing services.

Repairs right first time (Breyer Contract) : Quarter 3 2020-21



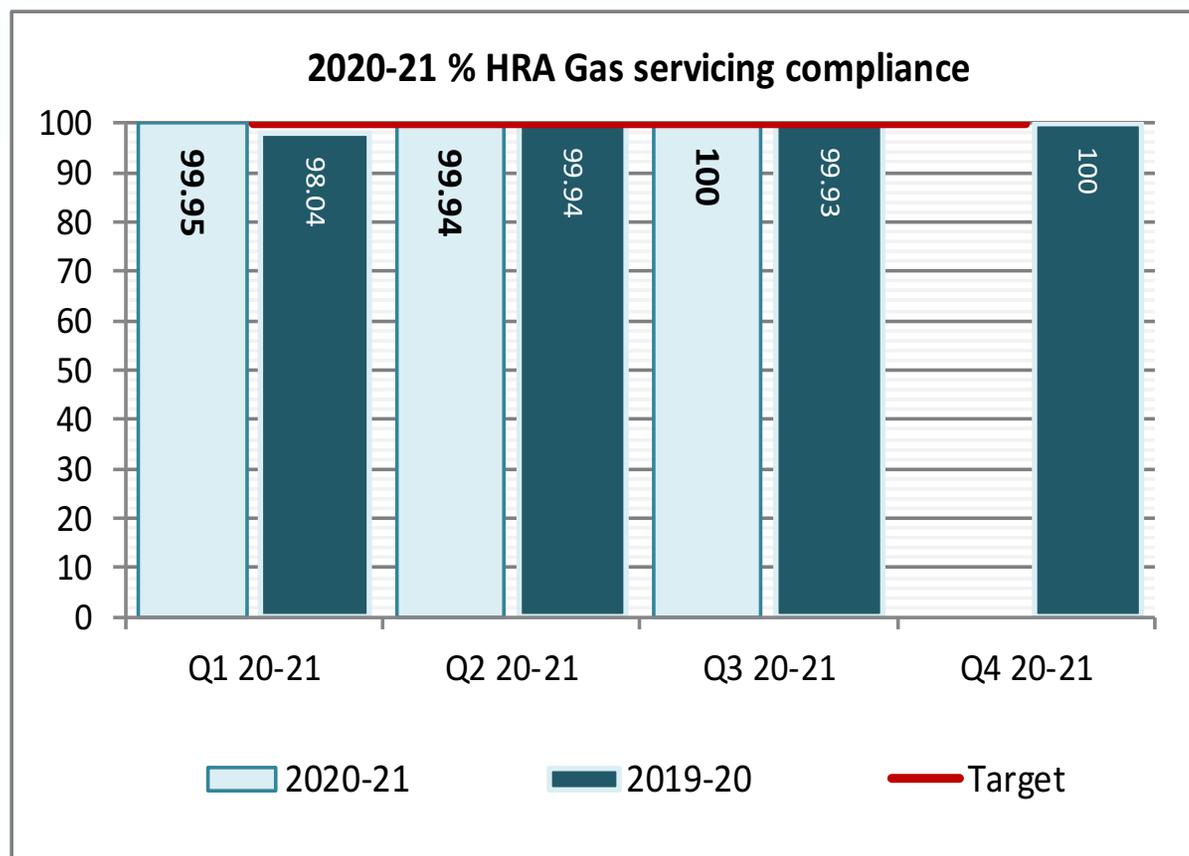
At the end of Q3 2020-21, 98.13% of responsive repairs were reported and had been completed right first time. This is above the target of 95% due to Covid 19 performance has been impacted.

Repairs completed within target – main contractors: Quarter 3 2020-21



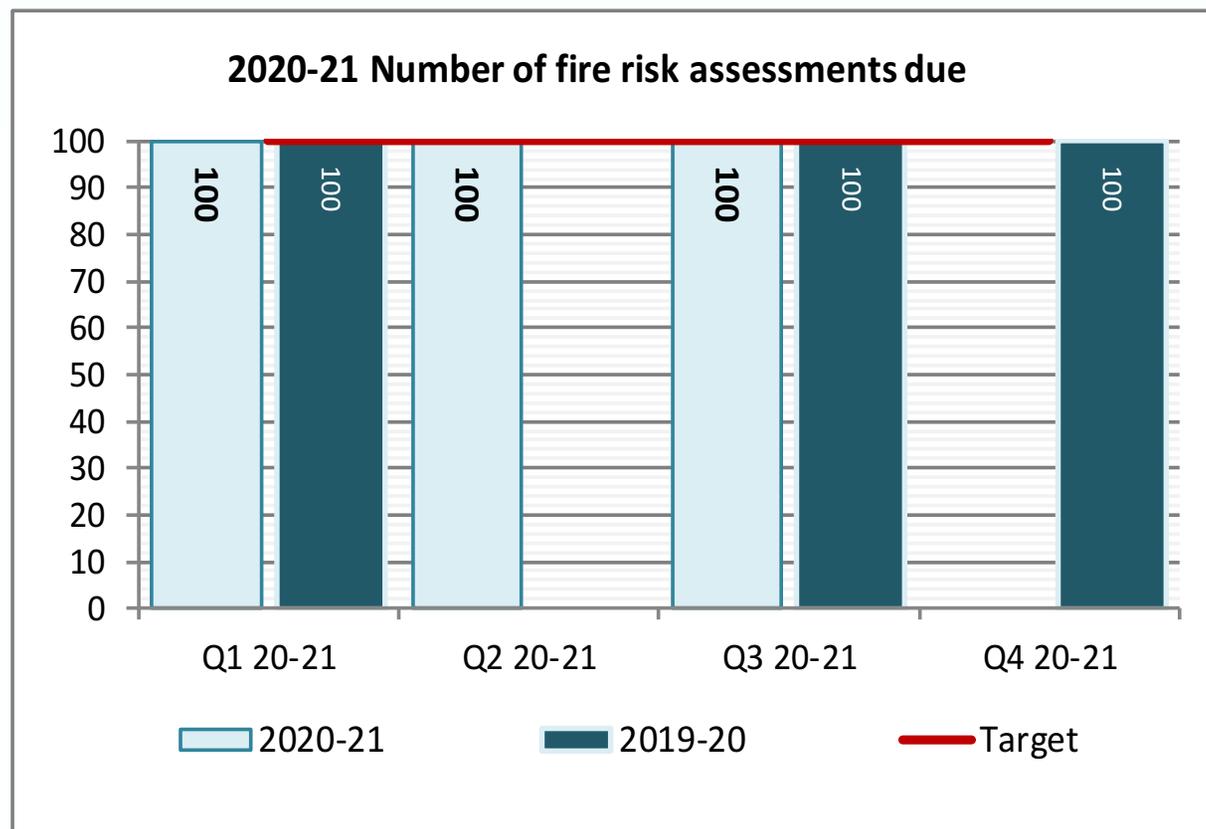
By the end of Q3 2020-21 a total of 16194 repairs orders have been raised (year to date) for the main maintenance and gas contractors and of these 15051 repairs were completed within target.

Repairs HRA Safety Compliance - Gas: Quarter 3 2020-21

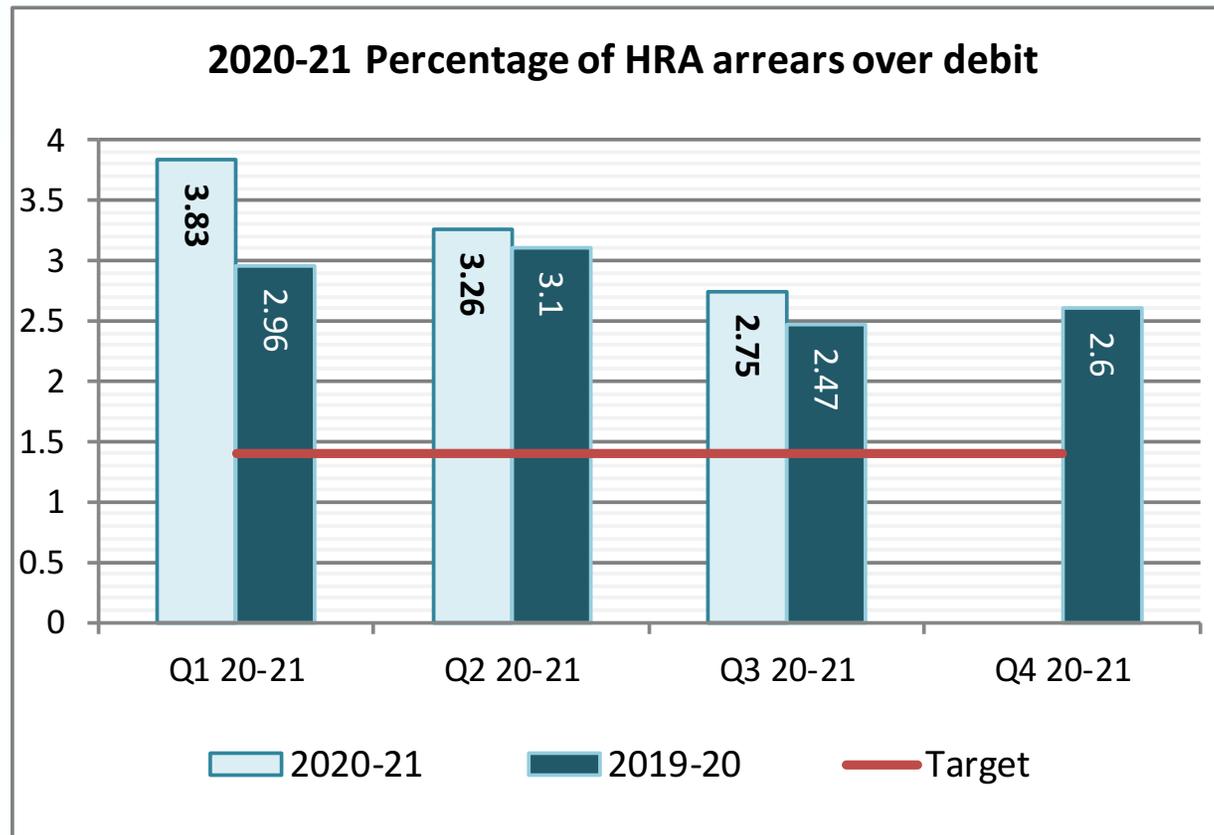


At the end of Q3 2020-21, 100% of 8539 properties have a current gas safety record.

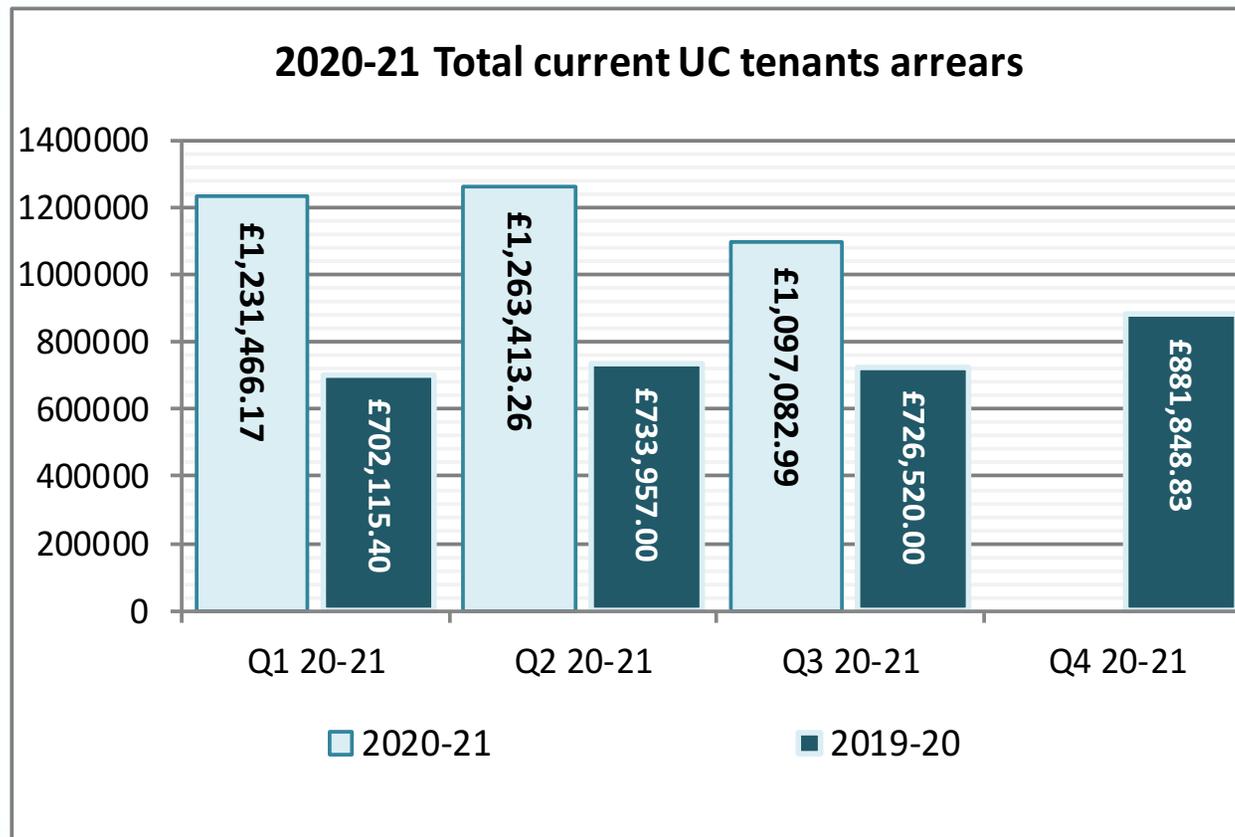
Repairs: HRA Safety Compliance – Fire: Quarter 3 2020-21



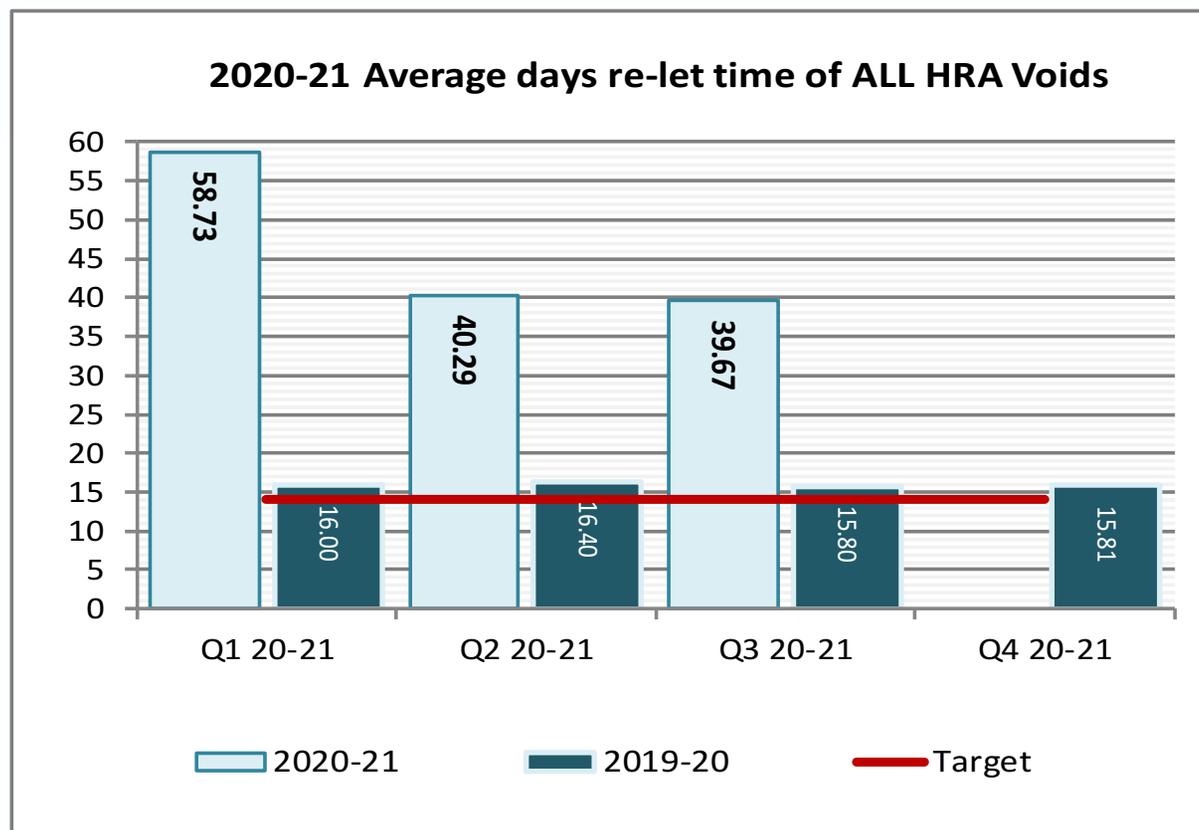
At the end of Q3 2020/21 a 100% of Fire assessments due were completed. (No outturn for Q2 2019-20 as indicator was under review)



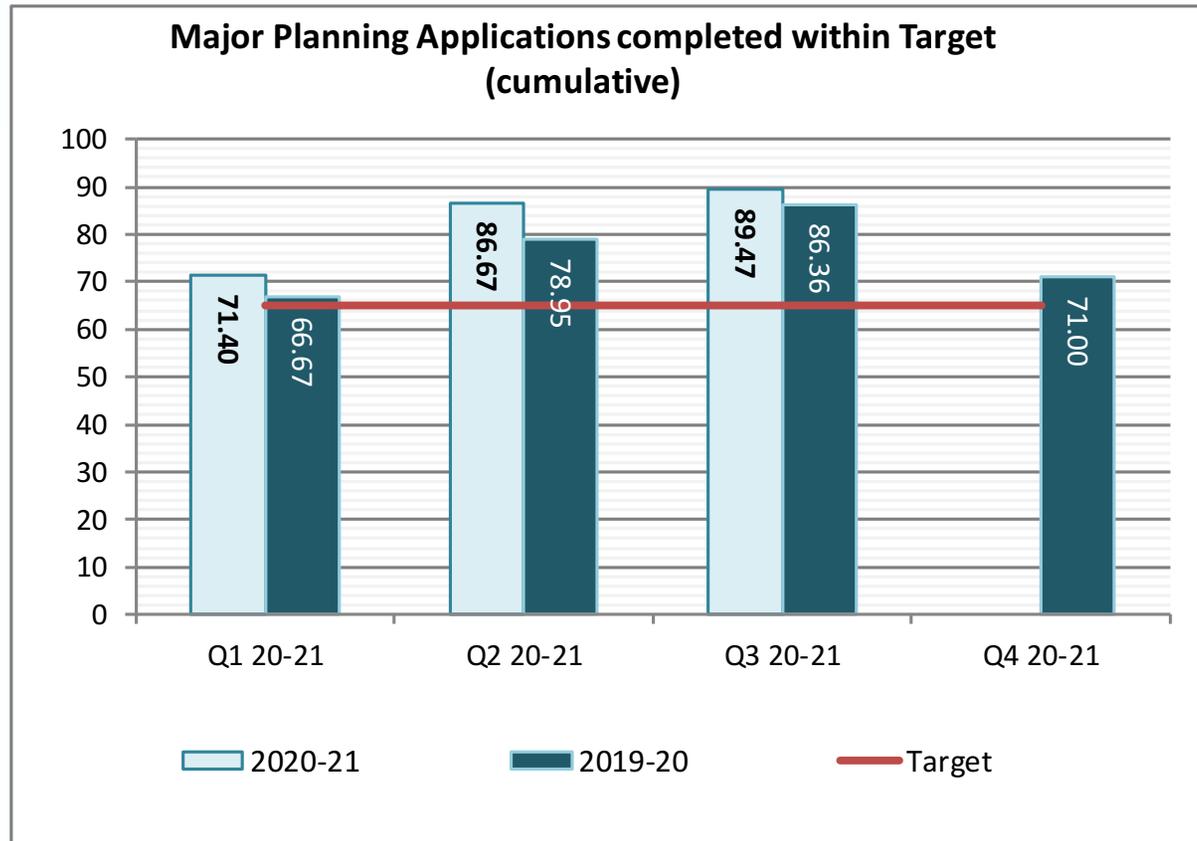
At the end of Q3 2020-21 2.75% equals £1459829 of HRA tenants current arrears over £0.01 over an estimate GROSS debit £53010214. Of which £1,446,408 accounts for General needs and £13,421 for Sheltered.



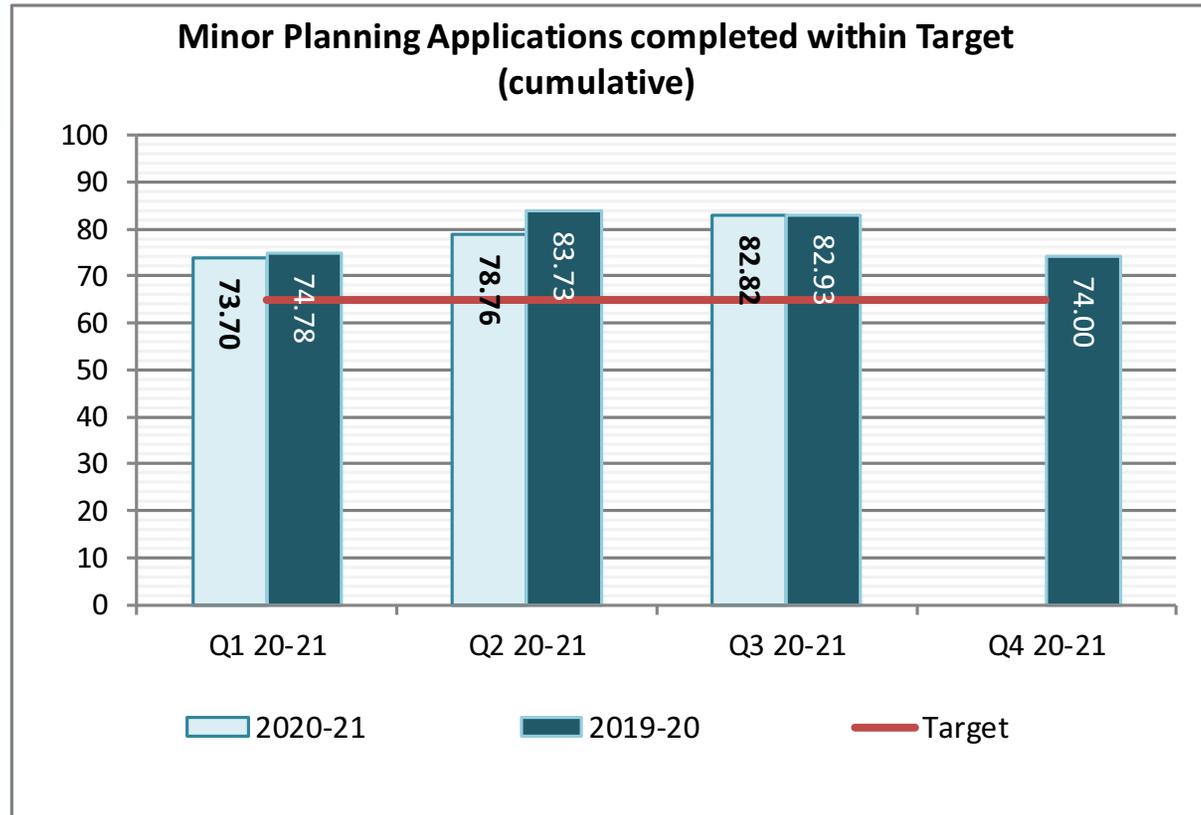
At the end of Q3 2020-21 the total amount of £1,097,082.99 UC arrears represents a total of 1306 tenants receiving Universal Credit in arrears.



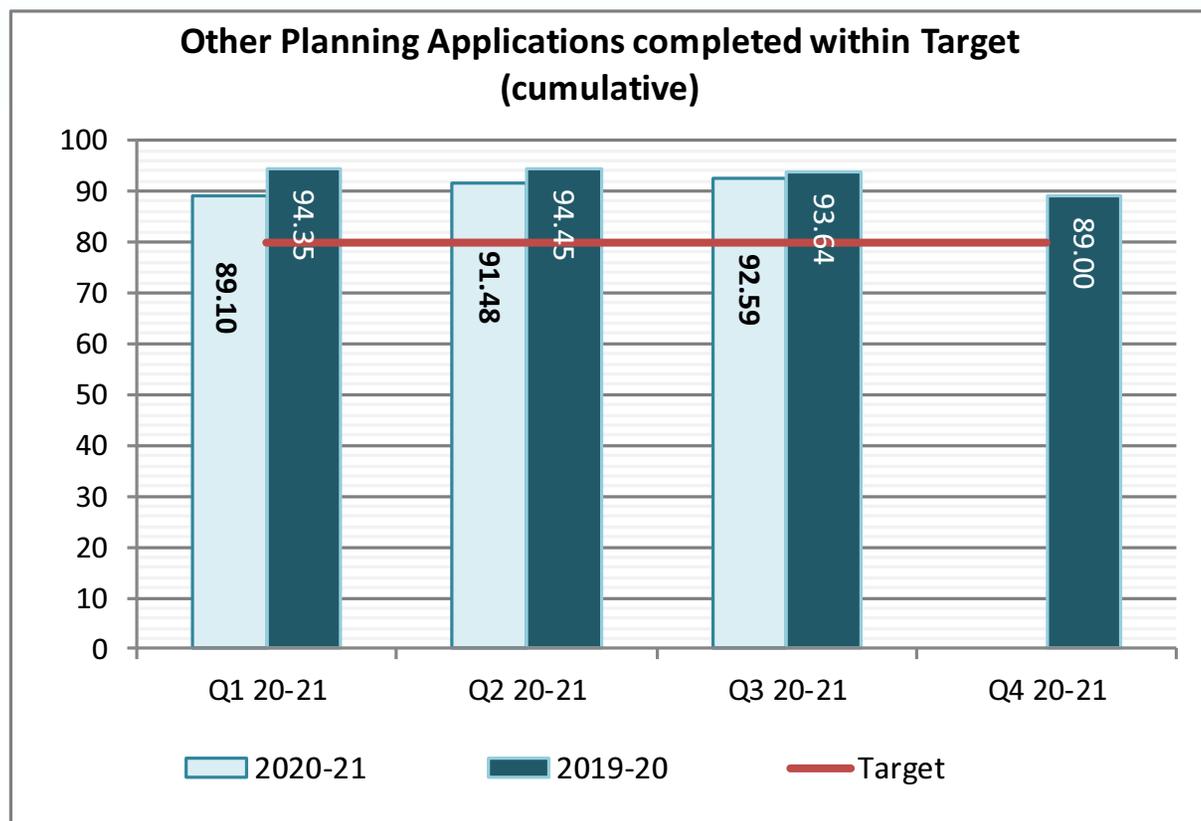
At the end of Q3 2020-21, a total of 297 HRA re-lets were carried out within an average time of 39.67 days. Of this total, 276 were general needs properties with an average re-let time days of 37.95 days.



At the end of Q3 2020-21 89.47% of major planning applications were completed within the target 13 week statutory period. The performance is still steadily improving following on from increasing performance during 2019-20.



At the end of Q3 2020-21 82.82% of minor planning applications were completed within the target time 8 week statutory period. Performance is strong in this area and currently well above the target set of 65%.



At the end of Q3 2020-21 92.59% of other planning applications were completed within target. Performance is still remaining strong in this area and currently well above the target 8 week statutory period.

Any questions?



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