

<b>MEETING:</b>	<b>GENERAL OVERVIEW &amp; SCRUTINY COMMITTEE</b>
<b>MEETING DATE:</b>	<b>19 January 2016</b>
<b>TITLE OF REPORT:</b>	<b>Overview of strategic housing documents</b>
<b>REPORT BY:</b>	<b>Joint commissioning manager</b>

## **Classification**

Open

## **Key Decision**

This is not an executive decision.

## **Wards Affected**

County-wide

## **Purpose**

To seek the views of the committee of engagement undertaken with the housing sector and of proposed new strategic housing documents for Herefordshire, including homelessness review and strategy, allocations policy and housing strategy, in order to inform the recommendations to cabinet.

## **Recommendation(s)**

**THAT:**

- (a) **The committee notes the report and appendix report including plans for proposed key housing strategies, along with the draft interim housing strategy, draft allocations policy and draft homelessness review and prevention strategy.**

## **Alternative options**

- 1 That the committee does not consider the report until after the key strategic documents have been decided upon by cabinet and then review the documents themselves in detail. This approach would deprive the committee of an opportunity

to inform cabinet's decision.

## Reasons for recommendations

- 2 Housing has returned to the national policy agenda suddenly in 2015, serving to highlight the many challenges faced already in ensuring appropriate and affordable housing for Herefordshire's citizens. New legislation currently passing through Parliament brings significant new challenges to the housing sector and to the council as the county's strategic housing authority. This has coincided with all the key local strategic housing documents requiring review and revision. These include;
  - The homelessness review and prevention strategy
  - The allocations policy for Herefordshire
  - Herefordshire's housing strategy
- 3 It was decided to organise the timetable so that all of these documents would be developed together for decision in early 2016, allowing time in the summer and autumn 2015 for intensive engagement with housing partners and others. That engagement has now taken place and the key strategies are being completed for submission to cabinet in February. The appendix to this report summarises the finding of that engagement and sets out the key elements of the three main strategy documents for general overview and scrutiny committee's consideration.

## Key considerations

- 4 The council no longer holds its own housing stock and its resources and direct control over housing provision have diminished and yet it retains significant responsibilities. It can discharge these responsibilities only through partnerships with a wide range of housing providers and other organisations and agencies. It has wide ranging strategic objectives relating to housing development, homelessness, allocation of social and affordable housing, provision of specialist accommodation and support of health and wellbeing. Existing challenges in Herefordshire particularly focus on balancing the housing needs of local people with the resources available and the interests of independent housing providers.
- 5 The homelessness review and prevention strategy is a statutory document focused on measures to prevent and relieve homelessness in its different forms. The council has made considerable progress in recent years in reducing homelessness, including the significantly reduced use of temporary accommodation and not resorting to bed and breakfast accommodation since 2012. This work is done by the housing solutions team in partnership with many small voluntary organisations and other statutory agencies. Many challenges remain and threatened and actual homelessness is expected to increase in the wake of new policy changes by national government.
- 6 The allocations policy sets the basis on which people are allocated social and affordable housing via the housing register. This requires a delicate balance between fairness in responding to needs and the management of demand to make best use of housing stock in the county. The policy and its accompanying procedures are implemented through the Home Point Partnership, comprising the council and eight local housing providers. Changes to the policy in 2014 resulted in

very significant reduction in the numbers of people on the housing register with some consequences which need to be addressed. In revising the allocations policy for 2016, the focus is on ensuring those in genuine housing need are all identified and can take up housing and that the housing stock is fully utilised. The policy must also comply with complex statutory requirements and seeks to ensure that housing providers' individual policies for allocating and excluding tenants are fair and consistent with the strategic position.

- 7 The housing strategy is no longer a statutory document but is valuable in capturing the strategic overview across all housing issues countywide. It therefore reflects key elements from other key documents but also addresses important issues relating to health and wellbeing, specialist housing and housing development.
- 8 The adults and wellbeing directorate conducted wide ranging engagement with housing partners, voluntary organisations and other statutory agencies from August to December 2015. This included questionnaires and meetings with leaders of housing providers, well attended workshops on housing development, homelessness and housing allocations and a main housing engagement event with all stakeholders in October. There was an energetic and diverse response from organisations which is summarised in the report at Appendix 1 and has contributed directly to revised strategic documents. Consultation of stakeholders on the draft homelessness review and strategy and the allocations policy will conclude in early January.
- 9 New legislation on housing and welfare reform introduces very significant challenges for the housing sector including;
  - Reduction in rent for social housing over successive years and the extension of the Right to Buy
  - Removing entitlement to housing benefit for 18 to 21 year olds and criminal sanctions for landlords renting to people with no leave to remain in the UK.
  - Relaxation of obligation on housing developers to build affordable homes for rent
  - General reduction in value of benefits and reduction of the overall benefit income cap.
  - Earnings cap for social housing tenants

## **Community impact**

- 10 Housing is central to the life of communities as a whole and to the lifestyle and wellbeing of individuals and households. In general the strategic documents seek to direct the housing resources of Herefordshire and the effort of providers and partners more effectively for the benefit of the community. This will be particularly in supporting those in housing need, older people, vulnerable young people and disabled people and others requiring specialist housing. However, the documents also promote the role of housing in the wider health and wellbeing of the population, not least through a focus on affordable warmth and fuel property, accessible homes and the quality of private sector housing.
- 11 The strategic documents will be fully consistent with the council's corporate aims, with the priorities in Herefordshire's health and wellbeing strategy and the strategic

objectives of the adults and wellbeing directorate.

## Equality and Human Rights

- 12 Increasing equality of opportunity and access, and reducing inequalities underpin the strategic housing documents. Individual elements of the strategies will undergo equality impact assessments as an integral part of their planning and implementation.

## Financial implications

- 13 There are no specific financial implications for the council of this report nor of the main strategic housing documents, which focus on providing strategic context for the work of independent housing providers and linking with other strategic work of the council and its partners. Any specific initiatives which may arise from the implementation of the documents would be the subject of further decision reports, incorporating any financial implications.

## Legal implications

- 14 The council has a duty to have and thereafter keep under review replacing or modifying from time to time a tenancy strategy which sets out the matters to which the registered providers of social housing operating in the district must have regard in formulating their own policies in relation to the kinds of tenancies they grant, their terms and renewal pursuant to the Localism Act 2011 s150(1) and s150(4).
- 15 The council has a duty pursuant to the Homelessness Act 2002 S(1)-(4) to carry out a homelessness review and formulate a homelessness strategy at least every five years. In formulating or modifying that strategy, authorities in England must have regard to their current allocation scheme and their current tenancy strategy.
- 16 The council has a duty pursuant to the Housing Act 1996 s166A(1) to maintain an allocation policy or scheme incorporating priorities and procedures (including all aspects of the allocation procedure, including by whom decisions may be made).
- 17 Save in relation to its duties as above there are no specific legal implications for the council of this report which informs the council of engagement undertaken with the housing sector and of proposed new strategic housing documents. Specific actions arising out of the implementation of the strategies proposed will require further.

## Risk management

- 18 There are few risks arising from this report directly given its very broad strategic perspective. There will be risks arising from the allocations policy and homelessness review and prevention strategy. In summary, the main risks would be;
  - Failure to finalise a homelessness review and strategy would be a breach of statute and confer significant reputational risk on the council.
  - Homelessness prevention depends on complicated networks of statutory and

voluntary agencies working together. With budgetary pressures facing all such bodies there is a risk that reductions in staffing or operational spending could undermine existing capacity to prevent and relieve homelessness. This would lead to escalating costs of homelessness to the whole system and reputational risk to the council.

- Delay in implementing a new allocations policy will engender risk of judicial review challenge from housing providers choosing to opt out of the current policy because properties are not being let through Home Point. This could link to wider dissatisfaction with the present arrangements and a possible breakup of the Home Point partnership. This would be damaging reputationally and would require the council to form individual nomination agreements with each provider.
- Delay in implementing the allocations policy involves risk of legal challenge around the current interpretation of “reasonable preference” categories.

19 It is intended that all these risks will be mitigated by the approval and implementation of the homelessness prevention strategy, allocations policy and housing strategy. The effective and timely implementation of the allocations policy will be particularly significant in managing risk arising from housing providers’ concerns with present arrangements.

## **Consultees**

20 Officers have consulted widely with housing providers, voluntary organisations, faith organisations, other council services and statutory organisations. Consultation was conducted by questionnaire and through invitation events. Stakeholders have also been consulted on the draft allocations policy and homelessness review and strategy. The cabinet member for health and wellbeing has also been consulted.

## **Appendices**

Appendix 1; Plans for revised key housing strategies (draft strategy documents will follow in a supplement).

## **Background papers**

- None identified.