

**NORTH SOMERSET COUNCIL
DECISION**

2017/18 SCHEME

**DECISION OF: COUNCILLOR ELFAN AP REES
THE EXECUTIVE MEMBER FOR STRATEGIC PLANNING,
HIGHWAYS, ECONOMIC DEVELOPMENT AND HOUSING**



**WITH ADVICE FROM: SHEILA SMITH DIRECTOR PEOPLE & COMMUNITIES
DIRECTORATE: PEOPLE & COMMUNITIES**

DECISION NO: P & C 85

SUBJECT: HOMECHOICE POLICY AMENDMENTS

KEY DECISION: YES

BACKGROUND:

The Homelessness Reduction Act 2017 (HRA 2017) achieved Royal Assent on the 27 April 2017. The HRA 2017 amends Part 7 of the Housing Act 1996 and came into force via a statutory instrument on 3 April 2018. It introduces requirements for Local Authorities (LAs) to carry out homelessness prevention work, with all those who are eligible for help and threatened with homelessness and changes the point at which a person is classed as being threatened with homelessness from 28 days, to 56 days. Among other changes, it also places a new duty to take steps for 56 days, to relieve homelessness by helping any eligible homeless applicants secure accommodation.

The HRA 2017 is the biggest change in homelessness legislation since the Housing (Homeless Persons) Act 1977. It makes prevention work a statutory function which will increase the numbers of people the Local Authority (LA) must offer housing assistance to.

The HomeChoice North Somerset Lettings and Assessment Policy is the vehicle that the Council and its partners use to allocate social housing in the district. The provisions of the HRA 2017 require a number of wording changes to ensure the policy continues to allocate social housing to those applicants most in need and to reflect the revised duties on LAs.

In considering the changes we have taken in to account people who are homeless within the meaning of Part 7 of the Housing Act 1996. Within the amended act there are 3 phases of homelessness (as set out below); each of which place a statutory duty on LAs.

Prevention Duty – This duty applies to any household that is eligible for assistance and threatened with homelessness within 56 days. The LA must take reasonable steps to assist the applicant to ensure that current accommodation does not cease to be available to them. If this is not possible the LA must assist the applicant to source alternative accommodation.

Relief Duty - This duty applies to any household that is eligible for assistance and is homeless. This duty lasts for 56 days after an applicant has become homeless. The LA must take reasonable steps to assist the applicant to source housing that is reasonable to occupy for 6 months or more. LAs should, where possible inform an applicant before the end of the relief stage if they will not be owed a main duty or if an intentional homeless decision will be made when the relief duty ends. Applicants can be placed in Temporary Accommodation whilst under a relief duty.

Main Duty – This duty applies when long term housing has not been sourced in the relief stage. Only applicants who are homeless and in a priority need will be owed a main duty. It is in this phase that an intentional homeless decision can be made.

People owed a Part 7 duty fall within the reasonable preference category in Part 6 of the Housing Act 1996 (Allocations) which is why in most cases they are eligible to be placed on the housing register.

In addition, it is proposed to amend Rough Sleeper (Band B) provisions so that the banding will only apply to those Rough Sleepers who are engaging with relevant support services (to meet any wider needs that would otherwise prevent them from sustaining a tenancy).

An amendment to Direct Let provisions relating to Homeless Applicants is also proposed whereby applicants who have not placed a bid after a month of being placed in a homelessness band may have bids placed for them by the council or be offered a direct let. The aim being to ensure that Homeless applicants are proactive in sourcing rehousing and to help to reduce the length of time spent living in temporary accommodation.

The substantive changes are set out below and in addition a number of non-material changes have been made to the policy to reflect updated organisational information. A copy of the revised policy is set out at appendix 1.

Current Wording	Suggested Amendments.
<p>Qualifying Groups An applicant qualifies to join the housing register if they:</p> <p>2.2.3 Homelessness</p> <ul style="list-style-type: none"> • Have had a full homelessness duty accepted by North Somerset Council under Part 7 of the Housing Act 1996; or • Is homeless or threatened with homelessness, not accepted by North Somerset Council under Part 7 of the Housing Act 1996, but would have a full duty if a homelessness application were determined (known as a “prevention duty”). 	<p>Qualifying Groups An applicant qualifies to join the housing register if they:</p> <p>2.2.3 Homelessness</p> <ul style="list-style-type: none"> • Have had a main homelessness duty accepted by North Somerset Council under Part 7 of the Housing Act 1996; or • Is homeless or threatened with homelessness and North Somerset Council has accepted either a prevention or relief duty
<p>Band A 3.3.1 Approved Homeless and 3+ months in Temporary Accommodation (HN) Except where paragraph 3.6.1 applies, applicants to whom North Somerset Council has accepted a full homeless duty under Part 7 of the Housing Act 1996 (as amended by the Homelessness Act 2002), and who have been resident in designated temporary accommodation for 3 months or more from the date of the acceptance of the duty.</p>	<p>Band A 3.3.1 Approved Homeless and 3+ months in Temporary Accommodation (HN) Except where paragraph 3.6.1 applies, applicants to whom North Somerset Council has accepted a main homeless duty under Part 7 of the Housing Act 1996 (as amended by the Homeless Reduction Act 2017), and who have been resident in designated temporary accommodation for 3 months or more either under a relief or main duty.</p>
<p>Band B 3.4.1 Approved Homeless (HN) Except where paragraph 3.6.1 applies, Applicants to whom North Somerset Council has accepted a full homeless duty under Part 7 of the Housing Act 1996 (as amended by the Homeless Act 2002).</p>	<p>Band B 3.4.1 Relief or Main Homeless Duty (HN) Except where paragraph 3.6.1 applies, Applicants to whom North Somerset Council has accepted either a main duty under Part 7 of the Housing Act 1996 (as amended by the Homelessness Reduction Act 2017) or a relief duty under Part 7 of the Housing Act 1996 (as amended by the Homelessness Reduction Act 2017) and there would be</p>

	a main duty if a homelessness application were determined.
<p>Band B 3.4.2 Homelessness Prevention (HN) Except where paragraph 3.6.1 applies, Applicants who are homeless or threatened with homelessness, not yet accepted by North Somerset Council under Part 7 of the Housing Act 1996, but would have a full duty accepted if a homelessness application were to be determined.</p>	<p>Band B 3.4.2 Homelessness Prevention (HN) Except where paragraph 3.6.1 applies, Applicants where North Somerset Council has accepted a prevention duty under Part 7 Housing Act 1996 (as amended by the Homelessness Reduction Act 2017), and there would be a main duty if a homelessness application were determined.</p>
<p>Band B 3.4.6 Rough Sleepers Applicants assessed as sleeping rough (street homeless, in a tent or in their car) by a HomeChoice Manager, HomeChoice Officer or Housing Advice Officer (see Appendix D).</p>	<p>Band B 3.4.6 Rough Sleepers Applicants assessed as sleeping rough (street homeless, in a tent or in their car) by a Housing Assessment Manager, Housing Assessment Officer or Homelessness Prevention Officer and who are engaging with relevant support services (see Appendix D).</p>
<p>APPENDIX D – Rough Sleeper & Other Homeless Assessments If, following this investigation, the officer believes that the applicant is sleeping rough with no fault of their own, then Band B rough sleeper can be awarded.</p>	<p>APPENDIX D – Rough Sleeper & Other Homeless Assessments If, following this investigation, the officer believes that the applicant is sleeping rough with no fault of their own, then Band B rough sleeper can be awarded providing the applicant is engaging with relevant support services.</p>
<p>Band C 3.5.4 Other Homeless Applicants (HN) Applicants who North Somerset Council has assessed as homeless under Part 7 of the Housing Act 1996 (as amended by the Homelessness Act 2002) but no duty applies, and those who have nowhere to live (e.g. No Fixed Abode 'NFA').</p>	<p>Band C 3.5.4 Other Homeless Applicants (HN) Except where paragraph 3.6.1 applies, Applicants who North Somerset Council has accepted a prevention or relief duty to under Part 7 of the Housing Act 1996 (as amended by the Homeless Reduction Act 2017) and who do not meet any of the qualifying homeless bands.</p>

<p>Band D 3.6.1 Homeless Demoted Applicants Applicants who would ordinarily be excluded or suspended from the register under paragraphs 2.3.4, 2.3.5 or 2.3.6, but fall into one of the homelessness qualifying groups defined in paragraph 2.2.3. These applicants will be offered support to assist in addressing any issues and will have regular reviews. Following reviews applications may be reinstated to the assessed level.</p>	<p>Band D 3.6.1 Homeless Applicants Applicants who would ordinarily be excluded or suspended from the register under paragraphs 2.3.4, 2.3.5 or 2.3.6, but fall into one of the homelessness qualifying groups defined in paragraph 2.2.3. These applicants will be offered support to assist in addressing any issues and will have regular reviews. Following reviews applications may be reinstated to the assessed level.</p> <p>Applicants where the Council has accepted a prevention or relief duty and who do not have a local connection as defined in Part 7 of the Housing Act 1996</p> <p>Applicants where the Council has accepted a homeless duty whose household has a combined gross annual income and savings in excess of £40,000 per year (not including means tested benefits).</p>
<p>Labelling of Properties 5.3.3 Homeless Case Properties In order to fulfil its statutory duties towards the homeless and to create a through flow of temporary accommodation the council may label properties giving preference to households to whom the council has accepted a full homelessness duty or a homelessness prevention duty.</p>	<p>Labelling of Properties 5.3.3 Homeless Case Properties In order to fulfil its statutory duties towards the homeless and to create a through flow of temporary accommodation the council may label properties giving preference to households to whom the council has accepted a main or relief homelessness duty.</p>
<p>Direct Lets 5.9.1 Homelessness Duty To discharge its statutory Homelessness Duty under s193(2) of the 1996 Act, the council may make a direct offer to any approved homeless applicant who has not secured accommodation under Part 6 of the Act within three months of being placed in</p>	<p>Direct Lets 5.9.1 Homelessness Duty To discharge its statutory Homelessness Duty under s193(2) of the 1996 Act, the council may make a direct offer or automatically place bids for any applicant assessed as homeless under Part 7 of the Housing Act 1996 (as amended by the Homeless</p>

<p>Band A, or where such an applicant has not placed a bid in three months. The period of time may be extended where no suitable properties have become available or bids have been made but higher band cases have been successful.</p>	<p>Reduction Act 2017) who has not secured accommodation under Part 6 of the Act within one month of being placed in Band B. The period may be extended where no suitable properties have become available</p>
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DECISION:

To agree the revised HomeChoice Lettings and Assessment Policy as set out at Appendix 1.

REASONS:

To ensure those most in need are prioritised for a social housing allocation and to ensure the Council meets its legal duties under the HRA 2017 and to ensure that Rough Sleepers who are allocated a tenancy are engaging with any services needed to sustain a tenancy

OPTIONS CONSIDERED:

For the HomeChoice Policy to remain in current form - this would be likely to result in more applicants being placed in higher bands, many of whom would have no other Reasonable Preference need as set out in Part 6 S166A of the Housing Act 1996. It would also mean that the Council would be unable to meet its duties under the HRA 2017.

If the Rough Sleeper banding remains unchanged those applicants will continue to be given high priority banding without engaging with the support services necessary to ensure tenancy sustainment when they are allocated a property.

FINANCIAL IMPLICATIONS:

None

LEGAL POWERS AND IMPLICATIONS

The Local Housing Authority under part 6 of the Housing Act 1996 has a legal duty to have an allocations scheme for social housing in its area and it must give an element of priority to applicants who meet any of the Reasonable Preference categories set out within the Act. The proposed changes meet the requirements of the Act

CONSULTATION

As the changes are relatively small and largely relate to additional legal duties placed on the council consultation has not been undertaken.

RISK MANAGEMENT

Monitoring of the changes will be undertaken to ensure priority applicants do have the opportunity of an allocation through the HomeChoice system and that they have the appropriate banding to reflect their needs.

EQUALITY IMPLICATIONS

Have you undertaken an Equality Impact Assessment? Yes
See Appendix 2.

CORPORATE IMPLICATIONS

None

BACKGROUND PAPERS

HomeChoice Policy

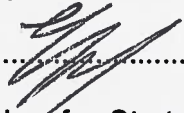
APPENDICES

Appendix 1 - Revised HomeChoice Lettings and Assessment Policy

Appendix 2 - Equality Impact Assessment

SIGNATORIES:

DECISION MAKER(S):

Signed: 

Title: Executive Member for Strategic Planning, Highways, Economic Development and Housing

Date: 3/5/18

WITH ADVICE FROM:

Signed: 

Title: Director People and Communities

Date: 3/5/18

Footnote: Details of changes made and agreed by the decision taker since publication of the proposed (pre-signed) decision notice, if applicable:

THE UNIVERSITY OF CHICAGO
DEPARTMENT OF CHEMISTRY
5800 S. UNIVERSITY AVENUE
CHICAGO, ILLINOIS 60637

PROFESSOR [Name]
[Address]
[City, State, Zip]

RE: [Subject]

DATE: [Date]

Dear Professor [Name]:

I am writing to you regarding [Subject].

I have [Action]

I am [Action]

I am [Action]

I am [Action]

I am [Action]

I am [Action]

I am [Action]

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