

## **HOMES & COMMUNITIES COMMITTEE**

**11 JUNE 2018**

### **URGENCY ITEMS - MINUTE OF DECISION**

#### **Delegation arrangements for dealing with matters of urgency**

Paragraph 7.2.1 of the Council's Constitution provides that Chief Officers may take urgent decisions if they are of the opinion that circumstances exist which make it necessary for action to be taken by the Council prior to the time when such action could be approved through normal Council Procedures. They shall, where practicable, first consult with the Leader and Chairman (or in their absence the Vice-Chairman) and the Opposition Spokesperson of the appropriate committee.

#### **Subject:**

To approve amendments to Newark and Sherwood District Council Allocation Scheme, reflecting the requirement for implementation of the Homeless Reduction Act (HRAcT) on 5 April 2018.

#### **Appropriate Committee:**

Homes and Communities Committee

#### **Details of Item** (including reason(s) for use of urgency procedure):

A report was due to be presented to the Homes and Communities Committee on 12 March 2018, which was cancelled.

In order to minimise the impact of the HRAcT on the Housing Allocations Scheme and prevent homelessness applicants dominating future allocations, reduce the impact of this on other applicants and minimise the risk of legal challenge, this urgency procedure is being used to make necessary amendments to be implemented as soon as legally viable, following consultation with Registered Providers.

#### **Current Allocation and Homelessness Legislation**

The HRAcT is designed to ensure that all persons who consider themselves homeless or threatened with homelessness receive the same level of advice and assistance from the local housing authority.

Part of the role of the housing options team is to consider all avenues of possible accommodation available to an applicant. This can include using the Council's Allocation Scheme to secure offers of accommodation.

Under the existing Allocations Scheme if an applicant is accepted as being owed a main housing duty by the local housing authority they will receive **Band One** status and an offer of suitable accommodation will be made directly to them.

In addition to this where an applicant is working with housing options to try and prevent their homelessness but having explored all options it is still apparent that they will be homeless, these households receive **Band Two** status under the Scheme. Examples of this might be a landlord is selling the property and this is not through anything the applicants has done or the rent has been increased to market levels which are no longer affordable under housing benefit.

The existing Scheme does not allow homeless applicants to dominate any of the bandings awarded as waiting time ensures that other applicants in housing needs can access accommodation through the waiting list without the need to present as homeless.

#### Homelessness Reduction Act and Proposed amendments

The amendments to the homelessness legislation as defined in the HRAct are changing the starting point for all households who are considered eligible and homeless or threatened with homelessness.

In terms of the Council's Allocation Scheme what these changes mean are that if we do not amend its banding priorities for 'statutory homeless applicants' all other applicants on the waiting list are likely to be disadvantaged.

The proposed amendments are attached, here is a summary:

**Band One** – Where it is accepted that a main housing duty is owed to the applicant/households, who are residing in temporary accommodation and engaging with plans to help secure accommodation.

**Band Two** - This band will be awarded to those applicants who NSDC are working with under Prevention Duties and/or Relief Duties and the applicant/household are homeless and engaging with resolving their accommodation issues.

**Band Three** - This band will be awarded to those applicants who are threatened with homelessness and are working with NSDC under Prevention Duties and/or Relief Duties and engaging with resolving their accommodation issues.

**Band Four** – This band will be awarded to those who are working with NSDC under Prevention Duties and/or Relief duties but do not qualify for any other banding on the waiting list. Also applicants owed Prevention Duties and/or Relief duties but are not engaging in actions to resolve their accommodation issues.

#### Financial Impact

Newark and Sherwood Homes, who administer the scheme on the Council's behalf, have advised there are no financial costs to implement this change.

### Equality Impact

It is not anticipated that the proposed amendments will have any impact upon those with protected characteristics and the impact of these amends will be monitored by the cross Council/Company Housing Allocations project Team and reported back to Homes and Communities Committee.

### **Members Consulted:**

**Councillor R.V. Blaney** – approved via email 31 March 2018

**Councillor R.B. Laughton** – approved via email 29 March 2018

**Councillor Mrs C.A. Brooks** – approved via email 1 April 2018

Signed : 

Date .3 April 2018