

Report for: Cabinet

Title: Approval of an amendment to the Allocations Policy to allow for the Neighbourhood Moves Scheme

Report

Authorised by: David Joyce, Director of Housing, Regeneration and Planning

Lead Officer: Robbie Erbmann, Assistant Director for Housing

Ward(s) affected: All

Report for Key/

Non-Key Decision: Key Decision

1. Describe the issue under consideration.

- 1.1. In September 2020, Cabinet agreed the draft Neighbourhood Moves Scheme, for consultation. A six-week consultation took place with those who would be affected by the proposed changes in the Council's Housing Allocations Policy if the Neighbourhood Moves Scheme were implemented. The consultation results have now been received and reported on in this report, and Cabinet are asked in the light of these responses to consider the final version of the Neighbourhood Moves Scheme, and the subsequent changes to the Council's Housing Allocations Policy.
- 1.2. The Neighbourhood Moves Scheme will prioritise newly built Council rented homes for existing secure Council tenants who live close to these homes. It has been developed in the context of a major Council housing delivery programme, and in anticipation of the first newly built Council homes being completed and ready for their first tenants.

2. Cabinet Member Introduction

- 2.1. As a Council, we have committed to building a new generation of Council homes, and this programme is well underway, with sites for potential new Council housing identified across the whole borough. We want to use this opportunity to strengthen local communities, and to ensure that households who are not adequately housed can live in homes which meet their needs.
- 2.2. The Neighbourhood Moves Scheme will give our existing Council tenants priority for new homes that are built in their neighbourhood, in particular those who are living in homes which are too big or too small. The design of the scheme also means that those on the waiting list will also benefit from new homes with each local tenant moving releasing an existing home which will be let to those on the waiting list.
- 2.3. This means that by building new Council homes we will be benefiting two households for each new home and adding to the Council's overall housing stock for future generations.

- 2.4. I am pleased to see that there was very strong support for the scheme, with 73% of respondents strongly supporting the policy and a further 23% in favour with some small amendments.

3. Recommendations

It is recommended that Cabinet:

- 3.1. Notes the Equalities Impact Assessment at Appendix 1.
- 3.2. Notes the consultation results attached in a full report at Appendix 2.
- 3.3. Approves the alterations to the Housing Allocations Policy attached at Appendix 3 and the Neighbourhood Moves Scheme attached at Appendix 4 which will be attached to the Housing Allocations Policy.

4. Reasons for decision

- 4.1. The proposed changes are informed by the results of a consultation with those who would be affected by the proposals. The Neighbourhood Moves Scheme seeks to address over-crowding by releasing larger family homes which are under-occupied and by allowing over-crowded households to move locally. It will also ensure that local secure Council tenants who have been affected by building works are given the opportunity to benefit from new homes built near them, and support community cohesion.

5. Alternative options considered

- 5.1. Not to make any changes to the draft Neighbourhood Moves Scheme following the consultation: this option was rejected since consultees had strong views on some aspects of the draft Neighbourhood Moves Scheme which were able to be incorporated into the final Neighbourhood Moves Scheme.
- 5.2. To make other changes to the draft Neighbourhood Moves Scheme following the consultation: other changes could have been made; a full discussion of the changes proposed and those considered but not adopted can be found in this report and in Appendix 2.
- 5.3. To not adopt the Neighbourhood Moves Scheme: this was rejected since the consultation showed strong support for the Neighbourhood Moves Scheme and the implementation of the Scheme will help the Council make best use of its housing stock and promote community cohesion.

6. Background information

[The Council's Housing Delivery Programme, Existing Estate Renewal schemes, and the Estate Renewal Rehousing and Payments Policy](#)

- 6.1. In 2018, the Council embarked on a major housing delivery programme, with a first milestone of 1,000 new homes. There are currently over 70 sites across the borough earmarked for development. These sites are mostly small to medium sized, with around three quarters currently projected to deliver fewer than 25 new homes. For the most part, these new homes will be built without the need for any existing homes to be demolished, although there may be exceptional circumstances where this will not be the case, and where the Council will work with existing residents in developing proposals for new homes. As well as building new homes, the Council is also acquiring new homes to be used as Council rented homes.
- 6.2. As well as the Council's housing delivery programme, work is currently underway on delivering new homes on the Love Lane Estate and on Broadwater Farm Estate, which will require some homes on these estates to be demolished. The Council has made a commitment that any secure tenants on these two estates whose homes are demolished will have the right to be rehoused, if they wish, in the new homes on those estates.
- 6.3. On 17 October 2017, Cabinet approved a new Estate Renewal Rehousing and Payments Policy which gave a guaranteed Right to Remain or Return to all Council tenants displaced by estate renewal. Under the current Housing Allocations Policy, this commitment requires that a Local Lettings Plan be developed for each development. This approach was taken for tenants of Tangmere and Northolt on Broadwater Farm through the creation of the Broadwater Farm Local Lettings Plan, which was approved on 21 January 2019. A similar approach will be taken for the Love Lane Estate.

The Neighbourhood Moves Scheme

- 6.4. At its meeting on 15 September 2020, Cabinet agreed a draft Neighbourhood Moves Scheme for consultation. The Scheme was designed in the context of an ambitious new programme of Council-housing delivery, consisting of both homes developed directly by the Council and developments acquired from other housing developers to be used as Council homes let at Council rents. The draft Neighbourhood Moves Scheme had the following intentions:
 - To ensure that existing secure tenants are able to benefit from new Council homes being built in their local area.
 - To ensure that the Council's housing stock is used as efficiently as possible, by encouraging secure tenants living in homes that are too big for them to release larger family sized homes, and by providing an opportunity for secure tenants living in over-crowded homes to move to a larger home in the local area.
- 6.5. Generally, to prioritise housing for a specific group of people within a limited geographical area a local lettings plan would be designed. However, the Council's housing delivery programme is made up of a large number of small sites. Designing, and consulting on, a Local Lettings Plan for each individual new development would be administratively complicated, use extensive Council resources and result in tenants being over-consulted with up to 70 sites where consultations would be needed. The draft Neighbourhood Moves Scheme was therefore developed to be applied to all new Council rented housing built or acquired by the Council, thus removing the need to

consult on each new site and ensuring that, except where a specific Local Lettings Plan exists, the same principles apply to all new Council homes.

- 6.6. The draft Neighbourhood Moves Scheme prioritised newly built Council housing to the following groups of secure tenants, in the following order:
- Firstly, to any secure tenants whose homes are to be demolished in order to build new homes, in the same ward or a neighbouring ward.
 - Secondly, to any secure tenants living on the same estate as the newly built homes.
 - Thirdly, to any secure tenants living within 250 metres of the newly built homes.
- 6.7. Within the second and third groups above, further prioritisation would take place, as follows:
- First priority would go to any household currently under-occupying their home.
 - Second priority would go to any household currently living in an overcrowded home.
 - Third priority would go to any other household on the housing register.
 - Fourth priority would go to any other household, regardless of housing need.
- 6.8. Any remaining newly built homes would be allocated in accordance with the Allocations Policy – i.e., let to households on the housing register.

The Consultation

- 6.9. A consultation on the Neighbourhood Moves Scheme was held from 28 October 2020 to 10 December 2020. A total of 589 responses were received with 73% in favour of the Neighbourhood Moves Scheme and 23% in favour with some small amendments. Only 5% were against the Neighbourhood Moves Scheme, and this was consistent among all groups when broken down by age, ethnicity, sex, religion, sexuality.

A full analysis of these responses is provided in a report attached at Appendix 2.

Changes to the final Neighbourhood Moves Scheme from the draft Neighbourhood Moves Scheme

- 6.10. The implementation of the Neighbourhood Moves Scheme will require minor amendments to the Housing Allocations Policy. These amendments are provided at Appendix 3 and are unchanged since they were considered by Cabinet in September 2020. The Neighbourhood Moves Scheme itself represents an appendix to the Housing Allocations Policy and the final Scheme is provided at Appendix 4 and features a number of changes following consideration of the Consultation results.

Minimum size of development

- 6.11. The draft Neighbourhood Moves Scheme included the provision that the Scheme would only apply where five or more new Council rented homes would be delivered. Consultees were asked whether they agreed with this proposal or whether another minimum threshold – or no minimum threshold – should apply. The responses showed that a majority of respondents wanted the Scheme to apply with no minimum threshold.

This seems to be linked to the overall popularity of the Scheme and the desire for it to apply to as many new homes as possible.

- 6.12. The rationale for introducing a minimum threshold was that there may be developments that had been designed to meet the needs of a specific tenant or group of tenants. Additionally, where developments would be delivering a small number of Council rented homes, offering these homes in the first instance to a potentially large number of tenants living nearby could be overly operationally burdensome, and disproportionately raise expectations.
- 6.13. Given the consultation response, it has been decided to reduce the minimum threshold at which the Neighbourhood Moves Scheme would apply from five or more new Council rented homes to four or more new Council rented homes.

Direct Letting

- 6.14. The draft Neighbourhood Moves Scheme proposed that under the Scheme homes would be allocated by Choice Based Lettings, except where homes were being allocated to households with no housing need and therefore not on the housing register. The Council has now decided that this would be administratively complex and burdensome on smaller developments, in particular where applicants can clearly be identified and matched to suitable homes so that allocation by Choice Based Letting would be an empty and costly exercise.
- 6.15. It is therefore proposed that the Scheme is amended so that by default homes allocated via the Neighbourhood Moves Scheme will be allocated by Direct Let. New homes will however be allocated using Choice Based Lettings at officer discretion where this is practical and meaningful. Households who are unable to join the register because they are adequately housed will still be offered any remaining homes by Direct Let.

Tenants who will be moving to a smaller home

- 6.16. The Neighbourhood Moves Scheme has been amended to specify that households who are currently living in a home that has more bedrooms than needed would need to be releasing at least one bedroom to move under the Neighbourhood Moves Scheme and would only be allowed to retain one spare bedroom in their new home.

Level access and wheelchair accessible homes

- 6.17. The draft Neighbourhood Moves Scheme specified that homes which are level access and wheelchair accessible will only be allocated to households who have a specific need for those facilities. This section has been strengthened to also cover homes with any other facilities linked to need.

Households who do not have a housing need.

- 6.18. A number of responses to the consultation queried the inclusion of adequately housed households in the groups of tenants able to access newly built Council homes under the Neighbourhood Moves Scheme. Given that any adequately housed household moving through the Neighbourhood Moves Scheme would be releasing a home of the

same size to let through the Housing Register, the final Neighbourhood Moves Scheme will continue to include this group of tenants. However, it is proposed that they will now be the final group of tenants to be allowed a move under the Scheme – after all under-occupying and over-crowded households on the same estate or within 250 metres have been offered this opportunity. To facilitate this, the final Neighbourhood Moves Scheme has merged groups 2 and 3 – these will therefore form one group of ‘Secure Council tenants living on the same estate as the new housing development or within a 250-metre radius of the new housing or on a neighbouring estate with at least one home within this boundary’. Within this group, first priority will be for under-occupying households releasing bedrooms, then to overcrowded households, then to other households on the housing register, and finally to any other households.

500 White Hart Lane

- 6.19. On 12 September 2018, Cabinet approved the purchase of 29 homes at 500 White Hart Lane with reasons for this purchase being given as

Supporting the High Road West Scheme and responding to residents’ aspirations

By acquiring these homes and ensuring that Love Lane residents have the opportunity to move to them, the Council is increasing Love Lane residents’ rehousing choice and responding to their request for new homes which are owned and managed by the Council.

- 6.20. The draft Scheme approved by Cabinet in September 2020 proposed that the new homes in 500 White Hart Lane would be allocated according to the Neighbourhood Moves Scheme. It is currently anticipated that these homes will be in Council possession in late February or early March and within a few weeks of this report being considered. Due to time constraints in administering this Scheme, the Council would be unable within a reasonable timescale formally to invite all nearby residents to make a Housing Register application and then for the Council to assess those applications. This development will therefore not be formally allocated through the Neighbourhood Moves Scheme. However, the Council already has the information required to assess priority within the Scheme for those already on the Housing Register. These homes will therefore be allocated by direct let to existing secure tenants of Love Lane and any other estate renewal schemes in the same or a neighbouring ward, and then to secure tenants within 250m who have been accepted onto the housing register at the date the Cabinet approvals, and in the priority order as set out in the Scheme.

Effect on the Housing Register

- 6.21. This policy will give priority to local tenants to allow them to move into new homes delivered by the Council. This has the aim of addressing over-crowding directly by allocating homes to local over-crowded households, or indirectly by encouraging under-occupiers to release larger family homes. This scheme will require tenants to submit a Housing Register application and so it is anticipated that there will be a modest increase in applications to join the register.
- 6.22. The Scheme is only open to existing secure tenants in the local area who are either releasing their homes to assist the provision of new homes, or who are releasing their

current home to be let according to the Housing Allocations Policy. This will mean that, barring homes due to be demolished, the same number of additional homes will be released to the general Housing Register.

- 6.23. The Council's housing delivery programme projects the delivery of nearly 1,600 new Council homes for Council rent by 2025 and around 250 every year after that. These lets will be in addition to the estimated 400 relets a year the Council anticipates will become available. As the Neighbourhood Moves Scheme is only open to existing secure tenants who can give vacant possession to a home which can then be let out to the general Housing Register, the Scheme will therefore not affect the number of lets made using the Housing Register. That is to say, the same number of households would be offered new homes under the Scheme as would have been without it - save where the new homes are allocated to a tenant whose home is to be demolished.
- 6.24. There may however be a change in the size of homes available depending on the number of households who are downsizing or moving to a larger home. With under-occupiers being given priority, it is anticipated that these two groups will balance one another out to result in a broadly similar mix to the newly built homes. The Neighbourhood Moves Scheme will mean that tenants' housing needs will be better matched to the homes they occupy.

Housing Need

- 6.25. One of the aims of this Scheme is to make better use of the Council's housing stock by addressing over-crowding and releasing spare bedrooms where there is under-occupation. It is therefore proposed that tenants shall only be offered homes which meet their current housing need unless they are under-occupying their current home. Under-occupying households will be able to retain one spare bedroom but will only be allowed to move under the Neighbourhood Moves Scheme if they are releasing at least one bedroom.
- 6.26. This Scheme will not apply to new Sheltered, Good Neighbour or Supported Housing but will include any new adapted and level access homes which would usually be offered for General Needs. However, adapted and level access homes will only be offered to tenants with a specific need for these homes (see 6.16 above). Where there is no one with such needs within a Priority Group, adapted and level access homes will be then offered to tenants with such needs in the next priority group and then to those on the wider housing register.

Relationship to the existing estate renewal schemes and Local Lettings Plans

- 6.27. This Scheme will not take precedence over any current or future Local Lettings Policies approved by Cabinet. Where a Local Lettings Policy is in place, homes will initially be let according to that policy. This Scheme will only be applied to homes remaining after that policy has been applied.

Broadwater Farm Local Lettings Plan

- 6.28. On 13 November 2018, Cabinet approved the Broadwater Farm Local Lettings Plan following a consultation with residents of Tangmere and Northolt blocks. The Local

Lettings Plan provided those tenants with a Right to Return to the new replacement homes on the estate. The Neighbourhood Moves Scheme will not override this Local Lettings Policy, and any new homes on the site of Tangmere or Northolt will initially be allocated through the Broadwater Farm Local Lettings Policy. Any remaining homes will then be allocated according to the Neighbourhood Moves Scheme unless another Local Lettings Policy is adopted. This means the Scheme will only apply to the Broadwater Farm replacement homes once the Right to Return has been honoured for those who wish to return.

7. Contribution to strategic outcomes

- 7.1. This Scheme will support the Housing Priority of Haringey's Borough Plan 2019-2023. It will help ensure that the Council's housing stock is maximised by enabling Council tenants to live in the right sized house, and in doing so will help ensure that residents are living in homes that meet their needs and that as many households are being housed in Council housing as possible, thus reducing the number of households in temporary accommodation.

8. Statutory Officers comments

Finance

- 8.1. Adoption of this recommendation will give priority to those affected by any estate renewal in the area and then to secure tenants who are living close to the scheme.
- 8.2. Finance has been consulted in the preparation of this report and finance agrees with the recommendation following the outcome of the consultation.
- 8.3. There may be some additional housing management costs such as incentives to downsize, moving costs, redecoration costs etc. However, there are also cost savings associated with this scheme.
- 8.4. The financial implication cannot be reasonably estimated at this stage as the scheme is optional. The number of new homes that will be available each year and number of affected residents willing to take up the offer is yet unknown.
- 8.5. The foreseen costs are within the existing housing management cost and therefore contained within the existing budget.

Legal

- 8.6. The Assistant Director for Corporate Governance has been consulted in the preparation of this report and comments as follows. Legal Implications are otherwise set out in the body of this report.
- 8.7. The Council is required by Housing Act 1996 s166A to have a scheme for determining priorities and as to the procedure to be followed in allocating housing accommodation, and to allocate accommodation according to that scheme. The scheme applies (s159) to (i) selection to be a secure or introductory tenancy in its own stock (ii) nomination to be a secure or introductory tenant of another provider's stock and (iii) nomination to an

assured tenancy of stock held by a private registered provider or a registered social landlord.

- 8.8. In framing its scheme, the Council must have regard to its own Homelessness and Tenancy Strategies and to the London housing strategy (s166A(12)).
- 8.9. The Council must also (s166A) give reasonable preference to certain categories of persons on the Register – in particular those found to be homeless within Part VII of the Housing Act 1996 – and additional preference to others. There is however no requirement that equal preference be given to each priority category, provided that those falling within any of the categories are generally given preference over those who do not.
- 8.10. It is open to a Council, within its scheme, to include provisions to meet local needs and priorities and allocate to persons of a specific description (such as key-workers) (s166(6)(b)) provided that those provisions do not dominate the scheme and subject to the same proviso as the preceding paragraph. This report seeks approval to adopt such a Scheme following consultation.
- 8.11. Before making a major alteration to its scheme, the Council is required (s166A (13)) to send a copy of the proposed alteration to every private registered provider and registered social landlord with whom they have nomination arrangements and give them a reasonable opportunity to comment on the proposals.
- 8.12. While there is no statutory requirement to do so, the Council adheres to best practice in consulting its residents on significant changes to its Allocations Scheme, and residents have a legitimate expectation that the Council will continue to do so.
- 8.13. The Scheme reflects the outcome of the consultation. While not bound by the outcome of the consultation, Cabinet in considering the Scheme should conscientiously take account of that outcome.

Procurement

- 8.14. Strategic Procurement notes the report and confirms there are no procurement implications from the proposals.

Equalities

- 8.15. The Council has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:
 - Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act.
 - Advance equality of opportunity between people who share those protected characteristics and people who do not.
 - Foster good relations between people who share those characteristics and people who do not.

- 8.16. The three parts of the duty applies to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. Marriage and civil partnership status applies to the first part of the duty.
- 8.17. A draft Equality Impact Assessment was undertaken on the proposal prior to the Cabinet of September 2020 and has been finalised following the consultation.
- 8.18. The proposed decision will affect existing secure tenants and applicants on the Housing Register. The assessment reveals that the demographics of both these groups have an over-representation of Black, female-headed households and particularly among tenants who are overcrowded. There are significant differences in the age profile of these two groups. 40% of existing tenants are over 60 compared to only 8% of Housing Applicants. Moreover, more a higher proportion of existing tenants have disabilities (33%) than applicants on the housing register (6%).
- 8.19. The proposed changes to the Allocations Policy will enable existing tenants to move to properties near their current homes, which will enable them to maintain local community connections and support networks and allow children to remain in their current schools. Older people and those with disabilities are over-represented among existing tenants, and so maintaining connections to local services and support networks will be of particular benefit.
- 8.20. The amendments will give those on the Housing Register a reduced chance of a newly built home, but as all local tenants moving through this Scheme are required to release their current home for re-let following their move these amendments will release the same number of lets unless the new tenant's existing home is due to demolition. These amendments should not therefore have an adverse impact on applicant's chances of moving into the area.
- 8.21. Response rates among different demographics were very similar to the profile of those consulted except for a higher rate of responses from Black Households (51% of respondents compared to 32% of tenants and 39% of those on the Housing Register) and those with a disability (42% of respondents compared to 33% of tenants and 6% of those on the Housing Register)
- 8.22. The consultation highlighted a high level of support for the Scheme, with only 5% responding that they were against the Scheme. This was consistent among all protected characteristic groups.

9. Use of Appendices

Appendix 1: Draft Equalities Impact Assessment

Appendix 2: Consultation report

Appendix 3: Amendment to the Council's Allocations Policy

Appendix 4: Neighbourhood Moves Scheme

10. Local Government (Access to Information) Act 1985

