

Supply and Allocation  
of Social Housing  
and Low Cost  
Home Ownership

**2013/14**

Report for Cabinet Member  
for Housing  
12<sup>th</sup> June 2013

City of Westminster



# City of Westminster Cabinet Member Report

<b>Decision Maker:</b>	Cabinet Member for Housing and Property
<b>Date:</b>	12 <sup>th</sup> June 2013
<b>Classification:</b>	General Release
<b>Title:</b>	Supply and Allocation of Social Housing and Low Cost Home Ownership 2013/14
<b>Wards Affected:</b>	All
<b>Key Decision:</b>	Yes
<b>Financial Summary:</b>	The gross Housing General Fund homelessness budget for 2013/ 14 is £40.968m gross and includes £29.258m for the provision of temporary accommodation.
<b>Report of:</b>	Strategic Director Housing Regeneration and Property

## Executive Summary

This annual report reviews the demand for and supply of social rented housing and low-cost home ownership in 2012/13, and considers supply and demand projections for 2013/14.

The report also makes proposals for the allocation of the supply of social housing in 2013/14 to meet the Council's statutory obligations, meet the varying demands for social housing and to reduce the numbers of people living in Temporary Accommodation.

In particular the report sets out:

- Projected supply and the proposed allocation of social housing for 2013/14.
- An update on the supply of future temporary and social housing
- How new flexibilities relating to the allocation of housing will be made use of, in particular the power to discharge duty into the private rented sector

## **1. Background Information**

- 1.1 The supply and allocation of social housing report is published in March each year and reviews the demand for and supply of social rented housing and low-cost home ownership in current year, and considers supply and demand projections for the following year.
- 1.2 The report also makes proposals for the allocation of the supply of social housing in 2013/14 to meet the Council's statutory obligations, meet the varying demands for social housing and reduce the numbers of people living in temporary accommodation.
- 1.3 In particular the report sets out:
- Projected supply and the proposed allocation of social housing for 2013/14.
  - An update on the supply of future temporary and social housing.
  - How new flexibilities that impact on the allocation of social housing will be made use of
  - The factors that impact on numbers of requests for housing advice, homeless applications and acceptances and how homelessness can be prevented
  - The initiatives in place to reduce levels of rough sleeping and meet the needs of vulnerable tenants.

## **2. Recommendations**

It is recommended that:

- (i) The projected supply and proposed allocation of rented housing, as discussed in paragraph 3.1 and set out in Appendices A, B and B1, be noted
- (ii) The amendments to the Council's Cash Incentive and Mutual Exchange Schemes to support the implementation of the under-occupation cap set out in paragraph 5.1 are agreed.
- (iii) The amendments to the Allocation Scheme to include giving priority to Armed Forces Personnel in paragraph 5.2 are agreed
- (iv) A scheme to pilot discharge of duty into the private sector as set out in paragraph 5.4 is agreed

- (v) The minor amendments that either clarify existing policies or have been agreed in a previous cabinet member report since the last Scheme was published as set out in appendix C are agreed
- (vi) A fourth offer category is included within priority group 1 for intermediate housing opportunities for existing intermediate rented tenants who wish to move on to alternative intermediate rent accommodation

## Reason for Decision

The proposals contained in this report set out the issues related to the development of allocation projections of the supply of social housing for 2013/14 to meet the Council's statutory obligations, meet the varying demands for social housing and to reduce the numbers of people living in Temporary Accommodation who are waiting for social housing

## 3. Social Rented Housing Supply and Allocation Projections

3.1 The following table summarises the position regarding the demand for and allocation of social rented housing over the past three years.

<b>Demand Profile</b>	<b>31.3.09</b>	<b>31.3.10</b>	<b>31.3.11</b>	<b>31.3.12</b>	<b>31/1/13 (year to date)</b>
Homelessness Applications (p.a.)	1153	1125	1170	1445	1291
Homelessness Acceptances (p.a.)	446	378	430	539	661
Households in Temporary Accommodation (Total)	2454	2041	1726	1910	2313
Bed and Breakfast (non self-contained)	361	115	190	233	360
Category A Transfer Applicants	58	46	69	66	63
<b>Allocation Profile</b>	<b>31.3.09</b>	<b>31.3.10</b>	<b>31.03.11</b>	<b>31.3.12</b>	<b>31/1/2013</b>
Homeless Households	515	589	662	391	326
Tenant Transfers (includes Cat A, OC, Man Tran, CSH)	210	204	233	175	98
Children Act Panel	12	13	11	19	19
Mental Health Hostel Move On	12	11	24	13	15
Cash Incentive	60	47	48	38	45

### 3.2 Demand for Social Housing

3.2.1 The demand for social housing in Westminster continues to outstrip the supply of available accommodation to let, whether as a result of

homelessness, overcrowding, priority needs or demand from vulnerable groups. This is particularly the case for units of two bedroom or larger, reflecting the make-up of Westminster's social housing stock.

3.2.2 Applications from households, who are either homeless or threatened with homelessness, have increased during 2012/13 in comparison with the numbers received in 2011/12. The number of acceptances remains at c. 50% of applications due to thorough investigation of applications and work to prevent homelessness or divert applicants into other options.

### 3.3 Supply Projections

3.3.1 The projected total supply of lettings of affordable rented accommodation for 2013/14 is 899. This includes 90 decant rehousing linked to regeneration schemes and a total additional supply of 60 new properties to meet this demand.

3.3.2 The number of new affordable homes projected to be delivered by Registered Providers during the period 2013/14 and 2014/15 is 340 units, made up of 299 new build or converted units plus 41 spot acquisitions.

3.3.3 Of the 299 new or converted homes, 44 are anticipated to be provided for social rent at target rents and a further 115 homes for affordable rent. 140 homes will be provided for intermediate housing either at sub market rents or as shared ownership.

3.3.4 The projected year of delivery and number of new affordable homes to be delivered by tenure are shown in the table below

Year	Tenure	Number and Mix of dwelling sizes					
		No of units	Studios	1beds	2beds	3beds	4beds+
2013/14	Social Rent	37	0	12	15	9	1
	Affordable Rent	0	0	0	0	0	0
	Intermediate Rent /shared ownership	37	4	16	14	3	0
	Various tenures - Spot Acquisitions linked to Housing Renewal decanting	20	Mix of dwelling sizes based on household requirements				
2014/15	Social Rent	8	0	0	6	2	0
	Affordable Rent	115	0	0	57	53	5
	Intermediate Rent /shared ownership	103	2	79	21	1	0
	Various tenures - Spot Acquisitions linked to Housing Renewal decanting	21	Mix of dwelling sizes based on household requirements				

3.3.5 These projections are based upon affordable housing developments that are currently under construction or have secured planning permission and are

due to commence building works shortly. Significant schemes making up these supply projections include Ogle Street (21 units) Merchants Square (42 units), Middlesex Hospital (54 units) and Castle Lane (63 units).

- 3.3.6 Of the 340 new affordable homes to be delivered, 44 homes are expected to be provided for social rent with assured tenancies and all of these are anticipated to be delivered in 2013/14. Much of the new social rent units to be delivered in 2013/14 (25 of 44) will be delivered by Westminster's charity Westminster Community Homes (WCH) through various infill and conversion developments on former Council land and properties. The remaining social rent homes will be provided by other Registered Provider partners
- 3.3.7 All of the remaining 115 social housing units are expected to be delivered in 2014/15 and these are anticipated to be provided on an affordable rent basis with fixed term, renewable tenancies.
- 3.3.8 140 affordable homes will be provided on an intermediate housing tenure basis, either as shared ownership or at submarket rents. 37 intermediate homes are anticipated to be delivered in 2013/14 and 103 in 2014/15
- 3.3.9 In addition to the 299 affordable homes provided as new build or through conversions, WCH anticipates securing 41 spot acquisitions on the open market. These spot acquisitions will be used towards the requirement to re-house, either permanently or temporarily residents affected by Housing Renewal programmes in the City.

Social Housing Relet supply from Registered Providers

- 3.3.10 An anticipated 232 relets from existing registered provider social housing stock is anticipated to be provided to the City Council during 2013/2014.
- 3.3.11 This projection is based on the average level of relets received by the City Council over the previous three years.
- 3.3.12 It is also projected that 56% of total RP relets provided to the City Council will be for affordable rent with the remainder provided as social rent.
- 3.3.13 The table below summaries the number of relets projected to be received by Westminster in 2013/14 by dwelling size and whether these will be for social rent and affordable rent

Tenancy Type	Number and mix of relets projected in 2013-2014					
	Studios	1bed	2bed	3bd	4bed	5bed
Social Rent	36	32	23	7	3	0
Affordable Rent	31	42	51	6	1	0

Total	67	74	74	13	4	0
<b>Total All</b>	<b>232</b>					

### 3.4 Housing Renewal and Community Build

3.4.1 The Council's Housing Renewal Strategy was approved by Cabinet in February 2010, following extensive public consultation. The aims of the strategy are:

- To increase the supply and quality of affordable homes to meet a variety of local needs, including housing for families.
- To improve the quality of the local environment with outstanding green and open spaces and housing that promotes low energy consumption and environmental sustainability.
- To promote a high quality of life for people of all ages and backgrounds, in safe, cohesive and healthy neighbourhoods, supported by a range of high quality housing and excellent community facilities.
- To enable people to maximise economic opportunity in Westminster with support for training, employment and enterprise, and housing tenures which help those in work to remain in the City.
- To create a more distinct sense of neighbourhood, ending the physical divide between Westminster's estates and surrounding local streets.

3.4.2 Plans for the four areas in the programme are at varying stages of development, as outlined below.

- **Tollgate Gardens** is the most advanced. A masterplan has been completed, residents have voted in favour of the plans; and Cabinet has agreed that officers can submit a planning application for the scheme. Architects are in the process of finalising the design for submission of the planning application in March 2013.
- **Church street:** after completing the master plan, proposals have been worked up culminating in a positive vote for the proposals - 87.5 % of those eligible voted in May of this year for the regeneration proposals .This means that the next stage of working up the proposals will take place with some sites progressing to planning immediately .
- **Ebury Bridge:** After working up the master plan proposals - these were finally launched to residents in December 2012 followed by a positive vote in May 2013 with 78.4% those eligible to vote voting for the proposals. These are now being worked up with a view to submitting a planning application as soon as possible for a three phased development to include 22 units owned by Soho HA.
- Like Church Street, the **Westbourne** proposals cover a wide area incorporating a number of housing estates and stand alone sites. The

masterplan is nearing completion and was reported to Cabinet in February 2013. If approved, further design work on specific sites will be undertaken, and a vote is planned for late 2013.

### **New homes**

- 3.4.3 The first phase of the renewal programme is estimated to deliver nearly 1,100 new homes for the loss of around 400 social rented and leasehold homes which will be demolished. Approximately 400 of the new homes will be for social rent and 100 for intermediate housing. The new homes will be built to modern space and design standards; providing improved accommodation and reducing energy costs for residents, while reducing ongoing maintenance and repair costs for the Council.
- 3.4.4 The homes will be designed to meet the specific needs of residents currently living on the renewal estates and therefore address issues such as overcrowding and under-occupation.
- 3.4.5 Local lettings plans will be developed for each of the renewal areas. Tenants whose homes are being demolished will have the right to return to a new home on their estate if this is their wish. It is currently envisaged that any additional new homes will be available firstly to those in the wider estate who are inappropriately housed, and then offered more widely to those on the Council's waiting list.
- 3.4.6 At present, it is expected that the first scheme to complete will be a new older people's scheme in Church Street which may be available for letting towards the end of 2015. The first general needs units should be available on the Tollgate Estate in early 2016.

### **Decanting needs**

- 3.4.7 Some of the renewal schemes will involve temporary decanting of tenants and lessees prior to their homes being demolished and until their new homes are completed. This will need to happen during 2013/14 for tenants on the Tollgate Gardens Estate, where 60 tenanted homes are to be demolished.
- 3.4.8 While it is anticipated that this temporary housing will be procured by the Council's charity – Westminster Community Homes – it may be necessary to place some households in the Council's general needs housing stock should the charity not be able to procure sufficient properties.
- 3.4.9 At a time when the Council is faced with increased levels of homelessness and difficulty accessing appropriate Temporary Accommodation, this is not ideal and will be avoided where possible, as it places greater pressure on the already limited stock of available properties. Officers are investigating alternatives, such as utilising HRA capital receipts to acquire additional



properties (either in Westminster or in other areas) that can be used as either temporary or permanent affordable housing stock to boost available supply.

3.4.10 A dedicated Decanting Officer will be appointed within the Housing Needs Team to work with tenants on a one-to-one basis to understand their rehousing needs and to assist them with the process of applying for and moving to a new home. Tenants will also have access to the independent advisers during the decanting process.

3.4.11 Leaseholders whose homes are to be purchased by the Council prior to demolition will be provided with support to assess their options, and to decide what is most appropriate for them. Every effort is being made to arrive at an appropriate solution for each leaseholder's circumstances; whether that be purchasing a new property elsewhere within their estate or elsewhere in Westminster, moving off their estate temporarily, or, as a last resort, reverting to being a social tenant.

3.4.12 Detailed policies for decanting tenants and the offer for lessees have been developed following consultation with residents during January and February 2013.

### **3.5 Projections for demand for Temporary Accommodation from 2013**

3.5.1 The Housing Options Service (HOS) provides the Council's statutory housing assessment and advice function. Local authorities have a statutory duty to provide housing under homelessness legislation, where the applicant is:

- Homeless with no accommodation that is reasonable to occupy and not intentionally homeless
- In priority need
- Has a local connection.
- Eligible under immigration law

When the supply of suitable affordable accommodation is not available, the Council is required to procure Temporary Accommodation (TA) to provide housing until social housing is available.

3.5.2 The following table summarises the numbers of homeless applications and acceptances over the last five years

	<b>31.3.08</b>	<b>31.3.09</b>	<b>31.3.10</b>	<b>31.3.11</b>	<b>31.3.12</b>	<b>31.3.13</b>
Homelessness Applications (p.a.)	1380	1153	1125	1170	1445	1523

Homelessness Acceptances (p.a.)	522	446	378	430	539	813
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### 3.5.3 Housing Benefit Caps

3.5.4 The 2010 Emergency Budget announced that with effect from April 2011 the level of Local Housing Allowance was capped as follows:

- £250 a week for the 1 bed entitlement
- £290 a week for the 2 bed entitlement
- £340 for the 3 bed entitlement
- £400 for the 4 bed or larger entitlement

3.5.5 Westminster's private rented sector comprises c. 55,000 properties. (There are a further c. 25,000 social housing properties for rent that are unaffected by the caps.) The particular housing market in Westminster means that the level of impact is greater in Westminster than other boroughs. The caps took effect from April 2011 for new tenants but there was a postponement for existing claimants of nine months from the anniversary date of the tenancy meaning that the cap has taken effect between 1<sup>st</sup> January 2012 and 31<sup>st</sup> December 2012.

3.5.6 The transitional protection period for pre March 2011 Housing Benefit claimants ended in December 2012 meaning that the LHA caps have now been implemented for all HB claimants.

### **Westminster's response to the Caps**

3.5.7 To manage the impact of the Housing Benefit caps we have a steering group chaired by the Strategic Director of Housing, Regeneration and Worklessness and with senior membership from Adults Services, Children's Services, Benefits Services and Health; the function of this group has been to ensure that all households are informed of the caps, the options open to them and the support available, identify vulnerable households through for example the updated Discretionary Housing Payment (DHP) policy and developing protocols for its use. It is envisaged that this group will continue to oversee the Council's response to the wider benefit changes

3.5.8 Housing Options Service (HOS) has now received 1678 households approach for advice and assistance due to the LHA cap. In March 33 new approaches were made for advice, reflecting that the caps have now been introduced and numbers of new approaches are expected to reduce as a result. HOS continue to negotiate rent reductions with landlords but these negotiations are often lengthy and complex which attribute to longer processing times.

## Discretionary Housing Payments

3.5.9 The Benefits Service continues to receive high volumes of DHP claims directly from HB claimants, in addition to the referrals sent across from HOS. In March 181 claims were received, a significant increase from the previous month of 136 claims. The increase in March reflects new claims being made in advance of the introduction of the reduction in HB for social rented sector tenants with spare rooms. An analysis of the 2012/13 DHP spend indicates the total spend for 2012/13 standing at £3.62m.

### 3.5.10 Homeless Rehousing and Allocations

Given the pressures on homeless acceptances during 2012/13 and 2013/14 the percentage of total rehousing made available to homeless households (currently c. 73%) are to be retained, in particular for larger units.

## **Temporary Accommodation Projections**

3.5.11 As households make homeless applications, they are placed in emergency accommodation (generally B&B) until either a housing duty is accepted or the homelessness claim is rejected. The law requires that this is done in 6 weeks. If successful at this point the household can be moved into self-contained second stage temporary accommodation until they are able to bid successfully for a social housing tenancy. This self-contained TA is generally leased from the private rented sector through the Council's TA contractors and let to the applicant on an AST.

3.5.12 Increasing TA is a product of the numbers of households for whom the Council has a statutory duty to provide housing exceeding the numbers of available properties for letting.

3.5.13 As set out above the principal factor that is driving the increase in homeless acceptances has been the impact of the Housing Benefit caps on the availability of private sector housing for households on benefits. Approaches from the private sector now accounts for c. 65% of the total number of acceptances.

On the basis of the following that there will be c.1600 homeless acceptances during 2012 – 2014, levels of new housing supply will not meet this increased demand, availability of private rented sector properties to households on benefits is limited, TA will continue to increase during 2013 and is estimated to be c. 2850 by the end of the calendar year 2013

## **Procurement of Temporary Accommodation**

3.5.14 Local authorities secure the great majority of TA by leasing properties from the private sector. All local authorities are finding TA increasingly difficult to

procure to meet increasing demand as the private rented sector market available to households on benefits is reducing.

- 3.5.15 TA comprises emergency accommodation for use whilst a household's homeless application is being assessed and leased accommodation where households for whom we have accepted a housing duty live until suitable longer term accommodation is available.
- 3.5.16 Emergency accommodation has in the past been largely bed and breakfast accommodation and c. 280 of this has been block booked which provides the Council with control over the quality and certainty of cost levels.
- 3.5.17 All accommodation must be 'suitable' whether self-contained or not for each household as defined by legislation in terms of location, cost, size and condition. Thus there are placements that require in-borough placements (e.g. with children attending special schools, requiring in-borough wheelchair adaptable properties, people with very serious health conditions)
- 3.5.18 The traditional model for TA procurement is to lease properties from the private rented sector. The Council is able to recoup some or all of its costs for these leases by charging residents to live in TA, the level of rent being set by a central government prescribed formula which is 90% of January 2011 LHA plus a management fee of £40 subject to a cap of £500 per week. The cap of £500 was introduced in 2009 and was a direct cost of £1.5m to the Council in lost income and restricted the Council's ability to procure large numbers
- 3.5.19 This regime will continue whilst claimants are migrated onto Universal Credit during the period 2013-2017 (as will take place with all households in receipt of Housing Benefit.) As this takes place the amount a household has to spend on their TA will reduce as Universal Credit payments will be based upon current LHA rates and the Household Benefit cap will apply (rather than the current cap of £500 per week.)
- 3.5.20 The previous TA subsidy regimes allowed the Council to procure large amounts of TA within borough within subsidy levels. This TA funding model has not enabled the Council to procure the additional units required to meet the increased demand. Whilst numbers have been increased both in and out of borough, this has not kept pace with increased demand and this has led to increased use of bed and breakfast
- 3.5.21 The short term pressures following the increased demand from homeless households and the increasing pressures on the existing TA portfolio require new initiatives to procure new and replacement units. These proposals fall into three principal areas (and each scheme will be subject to Cabinet Member decision in line with the Procurement Code.)
- 3.5.22 Making best use of Council resources. This involves assessing the suitability of existing Council owned properties for their suitability for use as short-term

TA. However the properties falling into this category are few and temporary – generally being land and buildings which are held temporarily whilst longer term plans for their redevelopment or reuse are being implemented

3.5.23 Using Westminster Community Homes (WCH) as a vehicle to purchase properties. WCH is an affordable housing charity controlled by the Council. Subject to the Charity agreeing to the arrangements, the proposal is that the Charity would lease these homes to the Council at LHA rates and would thus be cost neutral.

3.5.24 Long term leasing arrangements. The Council has been approached by several organisations offering to raise private funding to purchase properties both in Westminster and outside for sole use by the Council to meet housing need. The models proposed essentially involve properties being leased initially at LHA levels for periods of several years.

3.5.25 Joint procurement with other local authorities. Our tri-borough partners and authorities in the North London sub-region are facing similar issues as Westminster (although not as acute.) Work is ongoing to develop schemes to source properties both for TA and discharge of duty into the private sector.

#### **4. Service Issues that impact upon the supply and allocation of housing**

##### **4.1 Affordable Rent Tenure**

4.1.1 Affordable Rent is part of a package of measures announced by the Government in Autumn 2010 to create a more flexible social sector and to create a new funding regime for social housing development.

4.1.2 From 2011/12, Registered Providers of Social Housing (RPs) who have entered into new affordable housing delivery contracts with the Homes and Communities Agency (HCA) for the investment period 2011-2015 have been able to let new rental properties and convert a proportion of existing vacant social rented properties as Affordable Rent (AR) where gross rents charged can be up to 80% of local market rent levels for an equivalent property of that size and location. In future only new Affordable Rent proposals and some shared ownership provision linked to projects also including AR will be eligible to be considered for grant funding by the HCA. Social Rent will only be considered for grant funding if provision is linked to the regeneration of existing housing and it is necessary to be provided in order to meet the needs of existing tenants who are to be decanted as a result of regeneration activity.

4.1.3 The HCA has also confirmed that as a rule affordable housing delivered through S106 planning conditions will not be eligible for grant funding. However, where it can be evidenced that additional affordable housing can be delivered on these S106 sites with grant, beyond the number of

affordable units that can be delivered without grant, applications for grant funding may be considered.

- 4.1.4 Since 2012, the responsibility for Investment decisions in affordable housing in London has devolved from the HCA England and Wales to HCA London which now forms part of the GLA.
- 4.1.5 Currently there are no affordable housing projects in Westminster that form part of an RPs agreed 2011-2015 delivery programmes with the GLA that are in receipt of grant funding.
- 4.1.6 In order to guide RPs operating the AR tenure in Westminster, the City Council published an Affordable Rent Statement in September 2011 approved by the Cabinet Member for Housing, setting out affordability guidance and gross rental ranges appropriate for various dwelling sizes provided on an Affordable Rent tenure. The affordability guidance set out in Westminster’s Affordable Rent Statement is linked to lower quartile and median income levels of households registered with the City Council for intermediate housing opportunities. This guidance will be updated from time to time to reflect any changes in the profile of Westminster’s Housing waiting list and household incomes. Housing’s support for RP’s as the affordable housing partner on S106 development sites, delivering new affordable housing will be dependent upon Westminster’s Affordable Rent guidance being adopted.
- 4.1.7 The AR rent and income thresholds set out by the City Council in the Affordable Rent statement of September 2011 are as set out below.

<b>Beds</b>	<b>Gross Affordability Threshold*</b>	<b>Weekly Gross Affordable Rent Range</b>
1	£25k-32k	£135 - £172
2	£27.5-£36k	£148 - £194
3+	£29k-£39k	£156 - £210

\*Based on net being 70% of gross and housing costs not exceeding 40% of net

- 4.1.8 The ability of Registered Providers to convert existing social housing rent voids to higher affordable rent levels is directly linked to their delivery of new affordable homes programmes and is subject to contract agreements between RPs and the Homes and Communities Agency (HCA). Additional revenues generated by RPs from higher AR rents must be linked to the delivery of new affordable homes. Most of the City Councils key RP providers have development contracts with the HCA towards the delivery of

additional affordable homes covering the investment period 2011-2015. These contracts set out the number of new affordable homes to be delivered during the 2011-2015 by each RP and how their affordable programme is to be financed. Though limited subsidy in the form of grant will be provided by the HCA (typically £25-30K per new affordable home delivered) to RPs as part of these affordable housing delivery contracts, the bulk of the financing arrangements are being facilitated through the charging of higher rents by RPs on their rental stock including relets of existing stock. RPs have therefore set their rents at levels that enable them to generate the financing needed to deliver the affordable housing delivery contracts agreed with the HCA.

4.1.9 While some RPs have adopted rent levels for properties converted from social rent to affordable rent in Westminster in line with City Council guidance, a number of RPs operating in Westminster, have taken a different approach to AR rent setting involving higher rent charges than that set out in the City Council's Affordable Rent Statement. This is because the investment contracts these RPs have entered into with the HCA towards the delivery of their new affordable homes programmes are premised on these higher rental streams in order to achieve their new affordable housing delivery contracts. However, for those RPs proposing higher rents than Westminster guidance, they have generally applied these higher rates to studios, 1beds and 2 bedroom properties, rather than larger ones. Some RPs have set rents for 1 and 2 bedroom at a percentage of the equivalent market rate, though no higher than 80% of market rents, while other RPs have capped rents at Local Housing Allowance levels for 1 and 2 bedroom homes. Generally, RPs operating in Westminster will be capping rents charged on 3bed or larger sized properties or letting these at Target Rents, because of affordability difficulties likely to be experienced with higher rents on these properties for households on benefits.

4.1.10 Affordable Rent tenancies will have a fixed tenancy period. Most RPs have adopted 5 years as their standard fixed tenancy period, and there is flexibility to grant longer tenancies. Where an RP decides not to renew a tenancy they will need to give advice and assistance on alternative housing. Affordable Rents are eligible for Housing Benefit and local authorities are able to discharge their homelessness duties through an affordable rent tenancy.

4.1.11 During the period 1 April 2012 to 31 December 2012 there were 259 social housing lettings (social rent and affordable rent) made by Registered Providers to Westminster waiting list households.

4.1.12 Of these 259 lettings, 74 were 1<sup>st</sup> lets and all of these lettings have rents in line with target rents. However, a further 185 re-lets were provided to RP properties during this same period of which 79 were provided as traditional social rented lettings and 106 as AR lets representing 57% of all lettings

made to RP relet properties and 41% of combined 1<sup>st</sup> lets and relets to RP properties in to which the City Council had nomination rights.

4.1.13 During this period Peabody provided the City Council with highest number of affordable rent lettings. 49 (86%) of Peabody's 57 lettings to Westminster referrals were provided on an affordable rent basis. The next highest number of affordable rent lettings was received from NetworkStadium with 16 (55%) of 25 lettings provided on an affordable rent basis followed by L&Q with 12 (86%) and Genesis also with 12(32%)

4.1.14 The table below sets out the range of rents levels charged by RP's on properties converted to Affordable Rent by size of property during 2011/2012 when compared to rent guidance set out in Westminster's AR statement. While some RPs are adopting rent levels close to Westminster guidance others are charging higher rents based on a percentage of local market rent equivalent or at LHA levels

Bed Size	WCC supported rent range for AR	No of AR lets outside WCC supported range	% outside WCC supported range	Average AR rent	Rent range	Average Rent as a % of Westminster median market**	Average rent as a % of London median market**
0/1	£135 - £172	36	68%	£192.76	£140 - £250	60% (£329)	95% (£203)
2	£148 - £194	25	63%	£217.51	£160 - £290	40% (£550)	76% (£288)
3*	£156 - £210	1	N/A numbers are too low	£233.63	£210 - £281	29% (£800)	70% (335)
<b>Total</b>		<b>62</b>	<b>66%</b>				



4.1.15 With the introduction of the Household Benefit cap (£500 per week for families, £350 per week for households without children) some of the higher rents set out above may be unaffordable to households in receipt of benefits.

## **4.2 Westminster tenancy strategy and policy**

4.2.1 The Localism Act 2011 introduced a new local authority flexible tenancy from April 2012. A flexible tenancy is a form of secure tenancy but can be for a fixed term. It will therefore be a secure fixed term tenancy and must be no less than 2 years. Changes to the regulatory framework for social landlords also introduced a new private registered provider (housing association) fixed term tenancy.

4.2.2 The Localism Act 2011 requires local authorities to develop a tenancy strategy setting out their approach to fixed term tenure and all social landlords (private registered providers and the City Council) are required to have regard to this. The Localism Act 2011 also restricted the succession rights for new secure tenancies created on or after 1<sup>st</sup> April 2012 and for flexible tenancies.

4.2.3 Westminster's Tenancy Strategy was published in January 2013 and supports the use of fixed term tenancies in order to make the best use of housing stock and to reinforce the responsibilities of the tenancy agreement. The Tenancy Strategy also supports discretionary succession for fixed term tenants in some circumstances.

4.2.4 The City Council will implement flexible tenancies in its own stock from spring 2013 and a specific Tenancy Policy is being developed in this area, which follows the principles of the Tenancy Strategy. The policy was consulted on during October and November 2012.

4.2.5 From the date of implementation, the majority of new council tenancies will be flexible tenancies for a term of five years, unless the tenant is an older person (60 or over) in sheltered housing or already has security of tenure and is transferring or is moving due to the regeneration of their estate or area<sup>1</sup>. Two year flexible tenancies will be offered in some limited circumstances.

4.2.6 At the end of the term there will be an assessment to consider if the tenancy should be renewed at the same property or another tenancy offered at a different property. Circumstances where tenancies may not be renewed at

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<sup>1</sup> This includes secure tenants of the City Council or assured tenants of private registered providers (housing association)

the same address are where there is under occupation (in which case flexible tenants can bid for or will be offered a smaller property). Circumstances where no further tenancy will be offered include where there has been a serious breach of the tenancy agreement.

4.2.7 In most circumstances where a tenancy is being renewed a further five year term will be offered; however if there has been a breach of the tenancy agreement during the term a two year term may be offered.

4.2.8 The Tenancy Policy introduces a new discretionary succession policy for flexible tenants as they are entering into a different relationship with the City Council. There is no change to the existing arrangements. To be eligible for a discretionary succession as a flexible tenant, the applicant must:

- Be a spouse or civil partner of the deceased tenant and have lived with them at the time of their death, as their main home, for a minimum of one year, *or*
- Be an adult child, brother or sister, or partner of the deceased tenant and have lived with them at the time of their death, as their main home for a minimum of five years ***and***
- Have priority to be rehoused under the City Council's Housing Allocation Scheme

4.2.9 Where the first two criteria above are met but there is no priority to be rehoused under the Housing Allocation Scheme, the applicant will be made one direct offer of a two year Non Renewable flexible tenancy. This is intended to provide the applicant with some transitional short term housing following a bereavement.

4.2.10 In order to implement flexible tenure a number of changes are needed to the Housing Allocation Scheme which are summarised below. The detail of these will be included in a later Cabinet Member decision paper that formally agrees the Tenancy Policy:

- Inclusion of the legal framework enabling flexible tenancies to be offered
- Cross references to the Tenancy Policy
- References to permanent housing and secure tenancies to be reviewed and deleted or amended to flexible tenancies where appropriate
- Amendments to the glossary to explain flexible and secure tenancies and their differences
- A new section specifically relating to flexible tenancies and tenancy renewal added to the 'Household Members – Inclusion in Registration'

section, setting out the household members that are included to determine if the tenant is under occupying or is over crowded

- Amendments to the 'Cash Incentive' section to exclude under occupying flexible tenants from the scheme (where they are not having their flexible tenancies renewed at the same address due to under occupation)
- New discretionary succession and assignment sections for flexible tenants added to reflect the new policies for flexible tenants
- A flexible tenancy agreement added as an appendix.

### **4.3 Housing and employability**

4.3.1 Addressing worklessness and improving the skills and employability of our residents is a key concern to housing for several reasons. Worklessness is associated with poorer physical and mental health and wellbeing. Improved employment options can lead to better life chances and deliver better outcomes for households leading to more mixed and sustainable communities, a key objective of the Housing Renewal Strategy.

4.3.2 Employment is available in Westminster. However a number of factors prevent residents from securing and retaining quality employment: poor skill match with the jobs available, health issues, lack of affordable childcare and limited flexible employment practices are known barriers. A key element of the council's work on employability is supporting clients to overcome these barriers.

4.3.3 In addition to supporting residents to gain employment Housing Commissioning is involved in delivering a range of affordable housing products which encourages and incentivises employment and assists people to get a foot on the property ladder.

4.3.4 A housing renewal and employability strategy is being developed which will set out an integrated programme to ensure that local people reap maximum benefits from estate regeneration. The Housing renewal programme presents the opportunity to deliver a significant number and range of opportunities through the development process.

4.3.5 Through the strategy we will be seeking to secure between 800 – 1,000 job and training opportunities including apprenticeships. The focus is on supporting residents from housing renewal areas and parts of the City with the highest levels of worklessness.

**Key components of the strategy are:**

**1) Brokerage of employment opportunities for local residents through:**

**Housing Renewal construction**

Jobs for the City Council's priority groups will be secured through contracts with the developers and brokered for unemployed residents by a Housing Renewal Workplace Co-ordinator

### **West End employers**

Workplace Co-ordinators hosted by the Crown Estate and the New West End Company broker jobs with West End employers for unemployed residents

### **2) Ensuring that residents are prepared for these opportunities**

Neighbourhood based employment support programme (Jan 2013 – Mar 2015) with advisers supporting those falling out of the Work Programme, the long-term unemployed and residents with health conditions

**3) Inspiring young people** through work experience opportunities, jobs fairs, construction 'taster sessions' and training

**4) Training** provision for residents wishing to work for Housing Renewal Developers delivered by the Contractors and local Colleges and

**5) Enterprise and self-employment support** through the Neighbourhood Enterprise Centre. We are also working with partners to develop an integrated housing and support package to households in temporary accommodation to set up small businesses.

4.3.6 As outlined above we seek to maximise our interaction with our customers to promote the programmes which are available and encourage households to take up these opportunities. We have also embedded our approach to employment by integrating elements which support and incentivise residents into employment through the allocations policy.

4.3.7 In their work on welfare reform CityWest Homes have developed a programme of activity to support affected households. Key to this support is promoting employability programmes to encourage households to take up the opportunities which are available. CityWest are one of the main delivery partners of the new estate based employment support programme and are therefore well placed to use their relationships with tenants to maximum effect.

### **4.3.8 Homelessness Employability and Learning Project**

4.3.9 The HELP project delivered by Vital Regeneration provides 1-2-1 advice sessions and referrals to training, volunteering, work placement and employment opportunities as well as ESOL, literacy and employment aftercare support for homeless households in temporary accommodation.

We are seeking to re-commission this service in 2013.

Over the last year (Jan – Dec 2012) HELP has supported 88 clients to achieve:

- 25 Training outcomes
- 11 Volunteer outcomes
- 13 Employment outcomes

#### 4.4 Overcrowding

4.4.1 There are approximately 1,000 council tenants currently registered for a move to a larger property.

4.4.2 We have had a number of initiatives in place for the past few years aimed at addressing the problem of overcrowding, including:

- De-converting and extending a small number of homes to create larger dwellings;
- Encouraging under-occupying households to move out of their homes to make them available for larger households in housing need;
- Awarding extra points to the most overcrowded households to prioritise them for a move into a suitably-sized home;
- Increasing the proportion of larger family-sized homes developed within the new supply programme;
- Visiting households in WCC and RP overcrowded homes
- Providing homework clubs and other activities for children in overcrowded families, to minimise the negative impact of not having enough space at home.
- Offering space saving solutions including bunk-bed and shelving and in some cases reconfiguring wasted space in the home
- Engaging a company to assist under occupiers who are moving with everything from decluttering to hanging curtains in their new home.

4.4.3 Over the last three years over 1000 households have been assisted to relieve pressures of overcrowding

#### 4.5 Mental Health and Housing

4.5.2 In Westminster we have developed a wide variety of supported housing services for people who require support to live independently, preventing the need for residential care and inappropriate use of temporary housing. There are currently 372 units of supported housing, ranging from high support 24 hour schemes to semi-independent units with visiting support.

4.5.3 Services are jointly commissioned by Housing, Adult Services and NHS Westminster. Everyone housed within these services has a case open and allocated to mental health teams and on the Care Programme Approach

(CPA.) In addition there are over 550 units of floating support for people living in their own independent accommodation who require support to prevent the loss of tenancy, the majority as a result of mental ill health.

- 4.5.4 Individuals are supported to move from supported housing into independent living along a pathway of care and support in order to prevent future tenancy breakdown and free up supported housing for people who will require this in the future.
- 4.5.5 There is an established Mental Health Service Users Housing Panel. The panel is currently working to establish their role in our contract monitoring process for the 15 providers of supported housing and has already piloted a peer reviewing process in the context of scheme visits..
- 4.5.6 The range of supported housing services has been expanded since the beginning of the Supporting people programme by opening six new mental health schemes and redeveloping a rough sleepers scheme to work with people with low level mental health problems. A new 24 hour high support service to cater for people recovering from severe and enduring mental illness opened in 2012 and is operating effectively in providing additional cost effective options to residential care.
- 4.5.7 There is a strong focus on homeless prevention for people with mental health problems where officers act as mediators or negotiators to prevent people from being evicted from their family homes or from their tenancies.
- 4.5.8 Quarterly training on housing issues for Community Mental Health Teams (CMHT's) are held together with guidance on how to address housing issues for people with mental health problems. In addition bi monthly housing surgeries are facilitated which reinforce the information shared at the housing training and allows mental health practitioners specifically to discuss service users' housing needs. Through the JAS service there are housing and mental health specialists who work alongside the care coordinators in the CMHTs to facilitate move on and resettlement.
- 4.5.9 As part of the pathway of care, mental health services receive an annual quota of independent housing units from the City Council for people with mental health problems living in supported housing who are able to live independently. To support this, a detailed protocol has been established between housing and mental health services. The quota in turn frees up supported housing bed spaces which can then be used for people in hospital or residential care.
- 4.5.10 Readiness for independent accommodation is assessed robustly by care coordinators and housing providers and then again by the panel that accepts or rejects MSHS quota applications. The panel only accepts applications for people where all parties are agreed about the service user's

readiness for independent living. Once accepted onto the quota the panel members liaise closely with the Housing Options Service who have the capacity to restrict and delay bidding where it is felt that a situation has changed and people can be removed from the quota when necessary. Once people have moved there are a range of community support services available including floating support services that are able to support the person through the move, to settling in and establishing themselves in the community and other support provisions including flexi care, befriending and day services. In addition there have been several referrals from supported housing placements through the panel onto the single homeless housing pathway, into independent accommodation.

4.5.11 We have an established mental health referrals panel that works to prevent homelessness and gate keeps all of the mental health placements. The panel where possible avoids using out of borough placements and this is achieved by ensuring that there is a steady flow of people through all of our in borough supported accommodation.

#### 4.6 Housing Strategy for People with Learning Disabilities

4.6.1 The WLDP “Big Plan” published in 2005 - 2008 identified the need to develop more local housing and support services particularly for people with complex needs. There had been an over reliance on the use of residential care models and an insufficient supply of housing and support models within the borough. Westminster Learning Disability Partnership had to place most people with a complex need out of borough in expensive resources. Service users, families and carer’s demonstrated anxieties around their future and how needs would be met. In particular, older parents were very concerned about the future support options for their adult children.

4.6.2 The Annual Housing and Support Operational Pathway Plans 2008-2011 delivered successfully the targets set out in the three year plan and helped people with learning disabilities have more choice and control in where they live, increase independence and reduce use of spot residential placements.

4.6.3 In 2007 there were 83 placements of residential accommodation and 73 placements of supported living in the borough. In 2012 there are 24 placements of residential accommodation and 170 placements of supported living in the borough demonstrating how the map of provision has changed significantly.

4.6.4 This change has been delivered through initiatives such as:

- In the last three years Westminster remodelled 69 units of accommodation from residential (registered) care to supported living models.

- there has been an increase of 32 newly developed units of supported placements in the borough e.g. Kilburn Park Road, Francis St. 161 Shirland Rd
- 74% of people are now living in their own home or with their family.
- In the last four years 26 people with a learning disability have moved into independent flats through the Westminster Learning disability quota
- Dolphin Sq Foundation has provided 5 two bed properties into which people with complex learning disabilities have moved creating further savings and providing a hub model of support in the Queens Park area
- Campus funding has been utilised to part fund the remodeling of Johnson Place which has five flats (four one bedroom and one two bedroom self contained flats). This new development provided significant savings to the Adult Care budget

#### 4.6.5 **The Learning Disability Housing and Support Strategy 2012 -2015:**

4.6.6 The key challenges have been identified as being:

- Increasing need for younger people with greater complexity of needs
- An increase in aging population of service users
- Increase in people with Autism requiring highly specialised service
- Greater pressures on adult care and housing budgets

4.6.7 To support the deliver the housing pathway in 2012/15, the following are priority areas:

- Progress the business case to redevelop 291 Harrow Rd and Elmfield Way; it is envisaged that the provision of a new build specialist autism service for 8 people and 16 units of extra care model of supported housing for people with learning disabilities and physical disabilities , will be operational by 2014/15
- Internal capital bids have been secured to upgrade four services for people with a learning disability in Westminster.
- Internal capital bid to match fund remodeling of the Harris Centre (part of the Leonora Extra Care provision) to develop five high support contained extra care flats for older people with two of these flats for nomination for people with a learning disability and dementia
- Campus Funding will be utilised to remodel Portnall Road into a high support specialist autism scheme for five people. Three people identified for this scheme currently live out of borough in registered care. This service will be operational in April/May 2012 and will provide savings to the adult care budget
- Further deregistration an remodelling of services to create a more efficient map of in borough options
- Assistive technology to be part of all support assessments



4.6.8 The draft strategy and action plan has been developed in partnership with users, carers and providers. The aim is to present a final draft to Cabinet Member in January 2013

#### 4.7 Housing and Physical Disability

4.7.1 The CityWest Homes budget for 2011/12 for major adaptations is £650K. In addition, £80K was transferred from the Disability Discrimination Act budget (common parts of buildings) for this financial year only to meet the demand and like for like replacements. Expenditure on adaptations was £620K as of 31 December 2011. Works are prioritised for those tenants who have been assessed as having an urgent and high priority need.

4.7.2 CWH had received 121 major adaptations referrals from April 2011 to December 2011 and 37 minor adaptations requests; of these 117 major adaptations are practically complete. There have been 2 cancellations and 2 requests on hold awaiting for clients' decisions regarding transfers to other adapted properties rather than adapting their homes. There were 27 cases still in progress at the time of writing in early January.

4.7.3 The target set is to complete as many cases as possible with an average of 6 weeks for Urgent works and 12 weeks for High and Standard priority works from date of receipt of OT recommendation to work commencement. This target has been met to date.

4.7.4 The anticipated expenditure level on private sector adaptations in 2012/13 (including those RP adaptations where grant applications are made to the Council) is anticipated to be approximately £400k, significantly below the available budget. This year has seen a marked reduction in the number of referrals for major adaptations from the occupational therapy service for residents in the private sector. This scale of reduction is not seen in the social housing tenures and the reasons for it are not fully understood but may be principally because of demographic changes. A target of completing private sector adaptations within 30 weeks is being met with performance from 1 April 2011 to 31<sup>st</sup> December 2011 at 21.1 weeks.

#### 4.8 **Rough Sleeping and Associated Street Activity**

4.8.1 We are currently in the process of finalizing the draft of the 2013-16 strategy and will go out to public consultation with a number of questions around this draft strategy in Feb –March 2013. The current Rough Sleeping Strategy 2010/13 clearly demonstrates the success of the Building Based Services approach; despite an increase in those being met on the street in 12/13 as opposed to 11/12 we have managed to keep the level of core rough sleepers to below 100 on a single night, sustained for over five years. This is a reduction of over half from highs above 200 in 2004 and 2005. All policies

identified in the Strategy have been developed within the framework of the necessity to reduce the level of rough sleeping. This entails tackling the rough sleeping continuum including, 'flow', 'stock' and entrenched rough sleepers. At the last count in November 2012, 97 core rough sleepers were counted plus 34 individuals from CCE countries who had no recourse to public funds and therefore cannot be accommodated via normal pathways. This is an increase on last year's figures of the 79 core rough sleepers were counted plus 29 individuals from CEE countries.

- 4.8.2 The first response to an individual rough sleeping is always to seek a diversion or reconnection to their last settled area or area where they have some service, employment or family ties. Day centres and outreach teams give a 'hard sell' on reconnection, where appropriate, and withdraw services in cases where they feel an individual is not taking up a reasonable option. Referring an individual to hostel accommodation in Westminster is in the main only considered in cases where a person has a longer rough sleeping history in Westminster, where they have no ties to any areas, or where they have a legitimate and documented reason why they cannot return to an area. These people will have been met bedded down in Westminster and have been assessed to have support needs that mean they could not be referred to schemes to help them access the private rented sector. Of the 2500 rough sleepers met in Westminster over 2011/2012, the majority were successfully given reconnection advice. A further 820 met the broad criteria of having 'support needs and no feasible reconnection options' and were booked into hostels in Westminster. Typical presenting issues include: mental health issues below the severe and enduring level (most typically depression, anxiety, personality disorder (stemming from childhood trauma), self harm), substance misuse (alcohol, crack and heroin etc) family breakdown and bereavement, hospital and prison discharge, learning difficulties, domestic violence etc and often these issues are in combination. In terms of institutional history: 40% of rough sleepers have been in prison in the past, 14% have a history in care and 6% in the armed forces (of this 6%, 2% are UK nationals).

- 4.8.3 The Mayor of London's work overseeing the target to reduce rough sleeping to zero with the adoption of No Second Night Out Project, (NSNO), has assisted with this reconnection message. Introduced in 2011, this entails outreach workers offering access to a NSNO Accommodation Hub in Islington to prevent a person spending a second night on the streets. Once at the Hub reconnection to their last settled address becomes the focus. The Westminster rough sleeping partnership has for over six years focused on reconnection of those new to rough sleeping. Hence we have been cooperating fully with the GLA to ensure that this extends across all London boroughs. In December 2012 the GLA has also refreshed and reconfigured the role of rolling shelters into the 'no-one living on the streets' (NLOS) services. This service will work with those who are not new to the streets—

whether that is one week, one year or longer on the streets. It will draw on the learning of NSNO in that access will be through a front-end assessment hub. A rapid assessment of a client's circumstances will determine the NLOS service offer. Assessment will not be an automatic gateway into the accommodation. Instead, the emphasis will be to reconnect individuals into appropriate services as rapidly as possible, with accommodation being used where circumstances are more complex or an interim stay is agreed. Where it is accessed, the accommodation will remain free at the point of entry, short stay emergency beds and will have the flexibility to assist outreach where individuals need respite from the streets or rapid access in an emergency.

4.8.4 The wide selection of presenting issues explains the requirement for the selection of different hostels to meet an individual's needs effectively.

Previously hostels tended to be large and 'one size fits all' with minimal gatekeeping. It is now well documented that specialised hostels, in good quality accommodation, gatekept for those in most need, deliver better outcomes and the WCC Rough Sleeping Commissioning Team are responsible for ensuring effective gatekeeping overseeing and ratifying all referrals to gain greater understanding of needs and ensuring the mix of hostels best meets these needs. At present the hostel pathway includes: short term assessment accommodation, a high support hostel for men with substance misuse issues, mixed accommodation including for couples with high support needs, accommodation for people with mental health issues (below the severe and enduring level), accommodation for older men, accommodation for people with alcohol dependency and challenging behaviour, specialist women's accommodation etc and a range of move on accommodation including abstinent accommodation. A detailed hostel review looking at the number of voids and the current needs presented on the street which is currently taking place. It is envisaged that the findings of this hostel review will feed into a more substantial piece of work reviewing the makeup and remodelling hostels if needed.

4.8.5 The range of hostels in Westminster and the speed at which they move people on (typically within 1 to 2 years) enable the BBS teams to get vulnerable rough sleepers without other options off the streets reasonably quickly, reducing the toll rough sleeping takes on individuals (and in particular their health) and communities. Once in hostels, support is given to address needs with the aim of recovery, building skills and moving on independently and the majority of residents move on to accommodation outside of Westminster, including the Private Rented Sector (PRS). This year we have procured provision of shared and self contained PRS accommodation which had increased the number of options and move on from hostels.

4.8.6 As well as the emphasis on reconnection and effective accommodation services, the rough sleeping strategy includes a variety of themes including strands to tackle the most long term rough sleepers:

- An intensive case conferencing approach is in place to assist the most long-term, entrenched rough sleepers off the streets. This targeted group are known as the Westminster 168 and every effort is made to find solutions that will enable these individuals to come in doors. All aspects of the lives of the individuals concerned are explored to find creative solutions including personalised budgets. This also includes work to improve cross-border co-operation for this client group, who often move between boroughs on a regular basis. The London Mayor is supporting this model of working across the inner London boroughs.
- Many of the long term group have mental health issues including personality disorders and pilots have commenced to better support workers including rolling out the Department of Health's standard training package on personality disorder and a case discussion clinic with the Waterview (a specialist personality disorder service).

Other strands of work relate to tackling the anti social behaviour that can be associated with rough sleeping:

- The City-wide Controlled Drinking Zone continues to be enforced and the teams have supported the introduction of dispersal zones across the borough in response to particular examples of poor behaviour. This enforcement has been enhanced by new legislation ( Sect 27) which empowers the police to exclude individuals from specific area for 24 hours.
- Monthly multi- agency Anti-Social Behaviour meetings continue (attended by the police, BBS, ASBU, SPT, Street Management etc ), specifically targeting rough sleepers and hostel residents and agreeing actions including: warning letters, Acceptable Behaviour Agreements, and ASBOs. The Street Population Team (SPT) is tasked with tackling the behaviour of individuals raised at this meeting. The Rough Sleeping Team also put forward cases for consideration at the new monthly Anti Social Behaviour Action Group meetings, multi agency meetings that seek to address anti social behaviour across the borough.

4.8.7 The number of foreign nationals on the streets of Westminster with no recourse to public funds is a major challenge and can total up to a third of those on the street. A dedicated project 'Operation Ark' started in April 2010 to reduce rough sleeping among EU Nationals and to date has had success in reducing numbers but flow remains high. The lessons learned from Operation Ark are to be extended to other London Boroughs and a Tool Kit is being written to facilitate this process. The joined up approach with the City Council, UKBA, and the Metropolitan Police has worked well

4.8.8 Work continues with the drug and alcohol services to ensure individuals misusing substances have access to appropriate treatment and recovery options. Joint outreach shifts and case conferences now take place to improve communication.

4.8.9 Interventions to confront worklessness in the rough sleeping and hostel populations continues to expand. These interventions identified several gaps in services and the need to further co-ordinate projects including a literacy strategy, resources for hostel workers and Jobs Fairs.

#### **4.9 Supporting adolescents in housing need**

##### Homeless Prevention

4.9.1 There has been a strong focus around homeless prevention and mediation with front line services delivering positive work to mediate and return young people to the family home if it is safe to do so, a number of positive work has been developed through the Young Persons Housing Forum a strategic group overseeing the development of commissioning arrangements within the sector and comprises of membership from Children Services ART, WALC, Locality Teams, Housing Options Services and Housing Providers which includes:-

- The Homeless Outreach Programme. A steering group has been set up to deliver presentations and workshops to Schools/Colleges/Youth centres which aim to inform young people about the barriers of accessing the City Council's housing stock and to provide advice about the process thus dispelling some of the myths around housing at an early stage. A number of presentations have already been delivered to statutory agencies and these are to be rolled out across relevant Schools/colleges/Youth Centres across 2013/14
- A DVD has been produced showing case stories of young people 's experience of homelessness
- A homeless leaflet for young people has been widely distributed.

4.9.2 In Westminster we have developed a range of supported housing services for vulnerable young people at risk and those in housing need. There are currently 168 units of supported housing ranging from high supported 24 hour schemes, foyers offering intensive support around employment, training and education to semi-independent units with visiting support. There has been some expansion of provision for teenage parents and 6 units of accommodation in a three storey building in the north of the borough has been made available increasing the total number of provision for this clients to 10. The building is owned and managed by Centrepoint who also provide visiting support to the clients.

4.9.3 Managing pathways into supported accommodation has been a key commissioning focus and the Young Persons Housing Pathway has enabled young people to move to different types of provision in a structured way enabling the young people to develop life skills and independence to meet their specific support needs. A review of the Young Persons Housing Pathway was completed in 2012 and the outcomes are to be taken forward through the Young Persons Commissioning Plan.

The key priorities will be to:

- Develop the procurement strategy for young person's housing supported services as contracts end in 2014
- Ensure that young people at risk and in housing need have access to the most appropriate accommodation to meet their needs
- Ensure that all services are monitored consistently to achieve real and continuous improvements and positive outcomes for service users
- Continue to ensure that there is consistency in the delivery of independent living skills information and advice across the Young Persons Housing Pathway
- To work in partnership with Tri-borough Children Services to consider the commissioning of specific units for care leavers
- Assist in maintaining low numbers of young rough sleepers at risk of homelessness and encountered during Official Street counts will remain close to zero.
- Develop the specification for 5 training flats to become available by June 2013
- Improve greater joint working in using resources such as private rented sector to assist young people in moving out of supported accommodation

### **Children Leaving care**

4.9.4 Under the Children (Leaving Care) Act 2000, local authorities have a statutory duty to ensure that young people leaving care have access to suitable housing. To manage this demand, Housing attends a bi-monthly liaison meeting with Westminster Accommodation on Leaving Care (WALC) team to consider the housing needs of this cohort.

4.9.5 Breakdown of re-housings to young people owed duties by WALC team during 2012 / 13

- 11 into general needs studios via designated WALC quota
- 2 into general needs 2 beds via WALC quota
- 5 into the Single Person's Housing Pathway

- 4.9.6 In addition to this, we accepted a permanent housing duty to 6 homeless young people aged 16/17 years old. One of these has already been permanently re-housed into her own one-bedroom flat.
- 4.9.7 Westminster Accommodation on Leaving Care (WALC) team has a current caseload of 148 young people, who will require settled accommodation over the next 3 – 4 years. Of those, WALC estimates 25 – 30 young people will require settled accommodation in 2013 / 14. Housing will continue to work closely with WALC team to meet the Council's statutory responsibilities to this cohort of young people, recognising that there is insufficient supply of permanent homes to offer all of those young people a unit of social housing.

### **Joint working with Children's Services**

- 4.9.8 Housing has continued to work jointly with Children's Services to identify households where housing issues are impacting on the efficacy of a Child Protection or Child In Need Plan. The Children Act Accommodation Panel, comprised of senior officers from Children's Services and Housing, considers the full range of housing options available to such households and manages an annual quota of properties to be allocated to those in the greatest need. During 2012 / 13, seven such vulnerable households were offered permanent social housing across a range of property sizes and types.
- 4.9.9 At an operational level, we continue to work closely with Children's Services to mitigate the effects of the Housing Benefit Caps. During 2012 / 13 HOS recruited a specialist homelessness caseworker to work across both services, to identify vulnerable families known to Children's Services who were affected by the caps and to offer them a bespoke handholding and homelessness prevention service. Of the 75 cases identified, 11 were already engaged with HOS at the time the officer came into post. 39 made their own arrangements and 25 were given advice and assistance. Of those 25, 19 cases had their homelessness delayed or prevented via the allocation of a DHP. 15 eventually made homeless applications and were supported through this process by the specialist officer. In addition, the officer has dealt with 47 housing enquiries via the MASH.
- 4.9.10 Additionally, senior officers from HOS, Housing Commissioning and Children's Services meet bi-monthly to discuss operational issues cutting across both services which affect our ability to work in harmony. Recent outcomes from these meetings include the development of a joint Information Sharing Protocol which includes clear guidance for resolving differences of opinion between the two services, the development of a guide for frontline officers on what service users can expect from Children's Services should no housing duty be owed to them and they then present at Children's Services, to assist with managing expectations.

4.9.11 It is recognised that living in non self-contained temporary accommodation or moving between different temporary homes, perhaps out of a familiar area, may increase the pressure within already fraught households. Housing continues to engage Children's Services in a dialogue about how best to meet the needs of vulnerable families in temporary accommodation. Recent outcomes have included housing offering to pay for additional white goods in local Children's Centres, to be used by homeless families and increased multi-agency working for those in our only in-borough B&B, via the monthly Team Around the Leinster Hotel meeting. This joint-working is increasingly valuable as the Leinster House is decanted and alternative housing is sought for the occupants.

#### **4.10 Equality and Diversity**

4.10.1 The annual equalities report looks at profile of households registered for social housing and housing outcomes to ensure services are fair and accessible. Only households with priority under the Allocations Scheme are registered for housing, so the profile of the housing register is largely determined by the eligibility criteria.

##### **Ethnicity**

4.10.2 Ethnic minority households continued to have higher levels of housing need during 2011/12 compared with White British groups, making up 73%<sup>2</sup> of the register compared with their 65% share of the population<sup>3</sup>. Black and Middle Eastern groups are the most over represented groups, with Black groups making up 18% of the register and 8% of the population and Middle Eastern groups making up 19% of the register and 9% of the population. Asian made up 15% of the register and 11% of the population. White groups are significantly under represented on the register making up 31% of the register and 62% of the population.

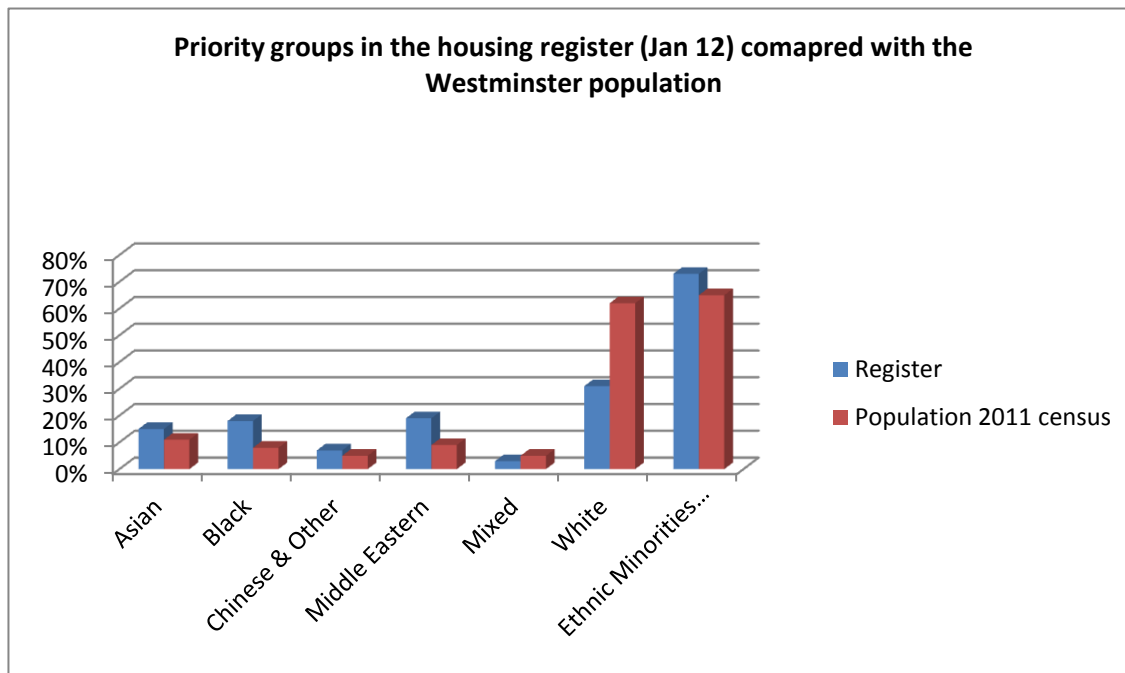
4.10.3 Thirty five per cent of households need larger units (3 bedrooms or more) and ethnic minority households have a higher than average need for bigger properties at 39%. Asian and Middle Eastern households have the highest need for larger units, with 53% of Asian households and 46% of Middle Eastern needing larger properties.

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<sup>2</sup> Ethnic minorities are defined as all groups excluding White British

<sup>3</sup> 2011 Census





## Age

4.10.4 Like previous years, the majority (49%) of applicants are between 25-44, which is higher than their 42% share of the Westminster population. The most over represented age group is the 45-64s, making up 32% of the housing register and 20% of the Westminster population. Older people (65 plus) are under represented making up 11% of the register and 15% of the population. Young people (16-24s) particularly under represented which is due to the eligibility criteria for housing, making up 3% of the housing register and 12% of the population

## Disability

4.10.5 Also like previous years, less than 1% of households need a fully wheel chair adapted property which is the same as the 2006 housing needs survey estimate for the overall Westminster population. Twelve per cent need a level access property, which compares with 0.36% of Westminster's population overall estimated by the housing needs survey.

## 4.11 Housing Allocation and Domestic Violence

4.11.1 Domestic Violence (DV) continues to be a major focus for the department. The number of approaches from people homeless as a result of DV has remained consistent over the last twelve months, though DV cases account for a slightly lower percentage (10%) of all homeless applications than last year (12%), due to the increase in demand created by the LHA caps coming into effect.

- 4.11.2 Housing sits on the Violence Against Women and Girls (VAWG) strategic group to ensure that its departmental objectives fit with the strategic response to DV borough-wide. The department also attends and supports Westminster Domestic Violence Forum (WDVF).
- 4.11.3 Housing worked closely with the VAWG group to re-specify the contract for Westminster's women's refuges, after the previous provider Eaves gave notice on the contract at the end of 2012. Following a needs analysis, the new contract included the provision of a floating support service for 15 medium to high risk women living in the community, including those in temporary accommodation provided by HOS out of the borough.
- 4.11.4 Following a successful competitive tender process, in June 2012 the new contract was awarded to Hestia. Hestia worked closely with Eaves to ensure that service users experienced a seamless handover and are already making great progress in developing the refuge service. For example, Hestia was successful in securing extra funding from the London Community Foundation to recruit a part time worker to develop Westminster's Phoenix survivor's group and drive forwards its aspiration to become a charity in its own right. We have also negotiated improved access to Hestia refuges for homeless women fleeing DV in order to minimise the use of Bed and Breakfast accommodation for this vulnerable group.
- 4.11.5 Housing is the second highest referrer (up from third place last year) of cases to the Multi-agency Risk Assessment Conference (MARAC), behind the Independent Domestic Violence Advocacy (IDVA) Service. Housing contributes to the cost of providing the IDVA service and continues to work closely with the current provider, ADVANCE, both on a case by case and more strategic basis. For example, the housing rep on MARAC acts as a point of contact for IDVAs seeking advice and support for their cases making homeless applications. Housing has also completed a mapping exercise that identifies the most appropriate referral pathways for DV clients with various risk levels seeking support, which includes generic floating support services as well as specialist DV services. These improved pathways were developed in recognition of the fact that ADVANCE is currently over-capacity in terms of referrals and lower risk clients could be referred safely elsewhere.
- 4.11.6 The department fully supports the operational work and development of the MARAC and continues to act as an example of good practice to other MARACs in respect of their housing input. For example, this year Westminster Housing contributed an article to the CAADA newsletter and sat on a panel at a CAADA event discussing best practice with MARAC coordinators and borough DV leads. The department has also been consulted by Hammersmith and Fulham and Kensington and Chelsea on best working practices around DV and housing.

4.11.7 2012 saw the launch of Westminster's weekly Domestic Abuse drop in surgery held at Bayswater Children's Centre. An officer from HOS attends the surgery in person once a month and provides telephone support the rest of the time.

Training continues to be a major focus for the VAWG and Westminster Domestic Violence Forum. The Housing lead for DV was integral in designing a training needs audit for the council and its partners, which will be rolled out across the City in early Spring and will inform the development of a council-wide DV training programme in 2013.

4.11.8 The Housing lead for DV is also a WDVF trainer and has delivered 3 x DV awareness sessions to forum members during the year. Additionally, during the last 12 months bespoke sessions have been delivered on MARAC, housing and DV and DV awareness to HOS and other housing providers including Supporting People-funded hostels.

4.11.9 The effectiveness of the response to domestic violence issues at HOS continues to be monitored through an annual mystery shopping exercise.

## **4.12 Supporting People**

The following section provides a summary of the Supporting People programme in Westminster (that funds many voluntary sector provided homelessness services.) The level of acute housing related support need presented in Westminster in particular by rough sleepers is unique in the country and to meet this need has required an active partnership between Social Care, Criminal Justice, primary health, Community Protection, housing and homelessness services and the voluntary sector

4.12.1 In Westminster over 4400 people are supported across over 150 housing projects and services including hostels for rough sleepers, sheltered housing for older people, specialist mental health housing services, homes for people with learning disabilities and young persons homeless prevention services. Specific sections above have summarised the housing issues across these areas and this section looks at services developments for single homeless and offenders

4.12.2 As part of the Supporting People reviews of housing and support needs, 10 bed spaces for single homeless women with a range of complex needs in particularly those with a history of domestic violence/sexual violence has been made available at Church Army, Bradbury House and specialist staff have been appointed to provide support to this cohort. The service is fully operational and there is a process for referrals to the service.

4.12.3 The MAAPA Floating Support North Sub Region Floating is lead by The London Probation Trust and five North Sub Region Local Authorities. The

Service currently managed by The Single Homeless Project and ends in March 2013.

4.12.4 The service continues to be a useful addition to the range of services for offenders by contributing to the prevention of serious offenders losing their homes and an increased risk of re-offending.

<b>Outcomes are for the period 1<sup>st</sup> April until 31<sup>st</sup> 2012</b>			
<b>Borough</b>	<b>Total numbers supported in the period 1<sup>st</sup> April – 31<sup>st</sup> March 2012</b>	<b>Total number of referrals for the period 1<sup>st</sup> April – 31<sup>st</sup> March 2012</b>	<b>Total number of service users helped with rent deposit money or emergency accommodation</b>
Westminster	16	21	3

18 service users complied/completed their orders/licences and only 1 service user received a conviction for a new offence.

The Procurement process is being led by the London Probation Trust with input from officers at the City Council and the new contract will commence from April 2013.

## **5. New Policy proposals**

### **5.1 Under-occupation cap and the Cash Incentive Scheme**

5.1.1 It is proposed to amend the Council's Cash Incentive Scheme to support the implementation of the under-occupation cap. The changes will not be applied to older tenants

5.1.2 The Cash Incentive Scheme (CIS) has been a successful way of encouraging WCC tenants under-occupying their homes to down-size and for tenants to give up their homes altogether. Downsizers receive £2k for redecorations and removals plus £3k for each room given up plus a premium for those moving from a property with three or more bedrooms so £8k plus a premium of £5k if moving from a four-bed to a two-bed.

5.1.3 The new cap limiting housing benefit for underoccupiers who are below pension credit age comes into force on April 1<sup>st</sup> and CWH are making contact with all tenants affected. So far 82 tenants (30%) have indicated that they intend to 'stay and pay', but it is expected that approximately 105 will want to downsize. They can do this by registering on the Cash Incentive Scheme and will be given very high priority through our choice based lettings scheme to bid for smaller properties but we only have a small

number of vacant flats each week and it has been our experience that CIS applicants understandably wait for particularly high quality properties so rehousing can take a long time.

- 5.1.4 A more efficient way of moving is to do a mutual exchange. All Westminster tenants can register for free on Homeswapper, the national web-based exchange search scheme. There are three times as many overcrowded Westminster tenants on the scheme looking for a larger property as there are applicants looking for a smaller home. However, we do not at present offer a financial reward to those doing a mutual exchange. This means that we are effectively disincentivising mutual exchange as applicants are likely to prefer to wait for a cash incentive move and the cash that goes with it rather than take their own steps to move to the right size property thereby not only resolving their own benefit cap issue but also assisting one of our overcrowded families.
- 5.1.5 It is therefore proposed to equalise the position for all under-occupying tenants below pension credit age (regardless of whether at this time they are to be affected by the benefit cap) by reducing the Cash Incentive payments and creating a matching incentive for those choosing to exchange with another Westminster tenant (WCC or RP). This will apply to those already registered on either scheme as well as to future applicants. The £2k for redecorations and removals will be paid in either case plus £1k per room given up so £4k in total if moving from a four-bed to a two-bed. The premium for those moving from a larger property will no longer be paid to this age group (but will be retained for older tenants). This would be payable on exchange only where the outgoing party is underoccupying and is moving to a property of the correct size and the incoming household will not be underoccupying the home. Exchanges between tenants under other circumstances will not qualify. As currently, any arrears or other debts to the Council would be deducted before any payment was made.
- 5.1.6 Although the amount we will be paying is much reduced, and for those already on the CIS this will be disappointing, the main incentive for them is to avoid getting into rent arrears because of the imposition of the under-occupation cap. We will need to write to all applicants in the age group affected by the cap and explain that the amount that they were originally offered has now reduced. Singles/couples living in properties with three or more bedrooms are under the current CIS policy able to move to a two bedroom home. This will no longer be the case for those in the age group affected by the cap. They will be eligible only for a one bedroom property.
- 5.1.7 It is not proposed to make any changes to the CIS for those where one person in the household is over the pension credit age or those who are giving up their WCC tenancy. We still need the powerful encouragement of generous payments to persuade 'empty nesters' to downsize.

Singles/couples of this age group living in properties with three or more bedrooms will continue to be able to move to a two bedroom home in line with the current policy.

5.1.8 The budget for CIS for 2013/14 is £650k. It is expected that the reduction in the CIS will balance out the new exchange incentive payments. Mutual exchanges have additional cost benefits over Cash Incentive moves; there is no void period and less officer time is involved. CWH have calculated that the potential arrears accruing from non-payment by those affected by the benefit limit is £550k p.a. so encouraging quick 'self help' moves is vital.

## 5.2 **Priority for Armed Forces Personnel**

5.2.1 On 16<sup>th</sup> May 2011 the Government published the first Armed Forces Covenant: 'Today and Tomorrow' which states that *'Members of the Armed Forces Community should have the same access to social housing as any other citizen, and not be disadvantaged in that respect by the requirement for mobility whilst in Service'*.

5.2.2 Subsequently on 29<sup>th</sup> June 2012, the Government published new guidance for Local Authorities in England which refers to a number of changes introduced by the Localism Act 2011 and in particular to Armed Forces Personnel. It includes the requirement for Local Authorities to;

- Disregard residence criteria for certain applicants and to take into account the needs of all serving or former Service personnel and their families
- Award additional preference to certain categories of serving and former members of the Armed Forces and Reserve Forces, bereaved spouses and civil partners of members of the Armed Forces
- Exclude any compensation awarded to ex Service and Service Personnel of the Armed Forces or Reserves for injuries sustained while serving.

5.2.3 It is proposed to amend the current Allocation Scheme with the following to reflect the above changes;

### **Qualification Criteria and Local Connection**

5.2.4 The Council cannot disqualify the following applicants from applying for social housing on the grounds of no local connection;

- a) members of the Armed Forces and former Service personnel, where the application is made within five years of discharge

- b) bereaved spouses and civil partners of members of the Armed Forces leaving Services Family Accommodation following the death of their spouse or partner
- c) serving or former members of the Reserve Forces who need to move because of a serious injury, medical condition or disability sustained as a result

5.2.5 In order to be allocated housing, applicants will be assessed to determine whether they come into a priority need group and if so, at the point of application applicants must;

- Have served in the Reserves or Armed Forces for a minimum of two years, **and**
- Left within the last five years, **and**
- If no longer serving, they must not have been dishonourably discharged, **and**
- Have previously lived in Westminster for a minimum of three years prior to enlisting, or have immediate family (mother, father, brother, sister, son or daughter) currently living in Westminster and have done so for three continuous years.

In the case of a bereaved spouse/partner, applicants must have lived in Westminster for three years prior to the bereaved spouse/partner's enlistment date, or have immediate family currently living in the borough and have done so for three continuous years.

5.2.6 The new Regulations regarding the qualification criteria came into force on 24<sup>th</sup> August 2012 under section 160ZA(8)(b) of the Housing Act 1996 (*the Allocation of Housing (Qualification Criteria for Armed Forces) (England) Regulations 2012 (SI 2012/1869)*), inserted by section 146 of the Localism Act 2011.

### **Additional Preference**

5.2.7 The Council must consider awarding additional preference to the following categories of applicants;

- a) Former members of the Armed Forces
- b) Serving members of the Armed Forces who need to move because of serious injury, medical condition or disability sustained as a result of their service
- c) Bereaved spouses and civil partners of members of the Armed Forces leaving Services Family accommodation following the death of their spouse or partner

- d) Serving or former members of the Reserve Forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service

5.2.8 In order to give additional preference to the above, it is proposed to give applicants ten points on top of the usual 'priority points'. This will also be in addition to any employment points they may be eligible for. The additional ten points will apply to waiting list households registered in the 'Pressing Housing Needs' group, homeless households and those with Category A Medical Priority.

5.2.9 As the new Regulations apply to new applicants accessing social housing, tenants who are already in social housing will not be eligible for the additional 'Armed Forces' points.

5.2.10 The new Regulations regarding additional preference came into force on 30<sup>th</sup> November 2012 under section 166A(7) of the Housing Act 1996 (*The Housing Act 1996 Additional Preference for Former Armed Forces Personnel (England) Regulations 2012 (SI 2012/2989)*).

### **Eligibility and Financial Circumstances**

5.2.11 For eligibility purposes the Council must disregard any compensation awarded to former and serving members of the Reserves and Armed Forces for injuries sustained while serving. The current scheme (1.4.6 (5)) states that applicants are ineligible if;

"A household's total gross income from all sources exceeds the threshold for the higher rate of income tax (currently calculated as income of £35,001) or whose household's total savings and capital assets exceed £64,893.

5.2.12 Applicants whose household has capital assets of up to £64,893 will be assumed to accrue a pro-rata income of £5 per annum for each £100 of asset. This assumed sum will be added to other income (*Supply and Allocation of Social Housing and Low Cost Home Ownership 13<sup>th</sup> March 2006*).

5.2.13 It is proposed to amend this section of the scheme to include the following;

'Any compensation awarded to members of the Reserves or Armed Services for injuries sustained while serving will be discounted'.

5.2.14 Those benefiting from these changes are likely to be small in number, and therefore the change is unlikely to impact significantly on numbers on the waiting list or housing stock in Westminster.



5.2.15 It is proposed to implement the new points as soon as the IT system has been amended to reflect the changes which is likely to be in May 2013.

**5.3 Additional Points for Employment**

5.3.1 Under our Allocation Scheme Homeless households are initially registered with 150 priority points and can receive an additional 50 points if they have a ten year residence connection to Westminster and a further 50 points if they are in employment and have been for a minimum of two years.

5.3.2 99 homeless households registered with 200 points (150 priority points plus either residence or employment points) requiring a 2-bedroom property were re-housed during August-October 2012). An analysis based on a random selection of lettings shows that over two thirds of lettings were to households with employment or residency points (or both.)

	<b>2 Bed</b>	<b>3 Bed</b>	<b>4 Bed</b>
% of homeless households with employment points (includes those with employment points only and those with both employment and residence points)	51%	42%	27%
% of homeless households with residence points only	16%	31%	40%
% of homeless households with no residence or employment points	33%	27%	33%

**5.4 Discharge of Housing Duty into the Private Rented Sector Pilot**

5.4.1 It is proposed to begin to use the powers incrementally. We would ideally wish to offer private rented properties in or around Westminster as a discharge of our housing duty but in order for a property to be deemed suitable for an applicant it is essential that it is first and foremost affordable for them for the duration of the tenancy and hopefully for much longer so that they can settle on a long term basis. We are finding it difficult to source local properties affordable to our applicants and where we do find such properties our priority is to offer them to people who are already renting privately but are on the verge of being made homeless in order to prevent their homelessness. If we can offer this group reasonably attractive local homes which they will accept voluntarily, we can avoid them having to make a homeless application and being drawn into temporary accommodation.

5.4.2 If we could source more of this type of accommodation we could offer it also to the cohort of applicants who have made a homeless application and to whom we have accepted a duty. However, because the supply is so limited we need to find other affordable accommodation for them and this is likely to be further away, probably outside London. We are required to take into account the significance of any disruption with specific regard to employment, caring responsibilities or education so offering this accommodation to long-standing Westminster residents could be difficult

especially in these early days when the new powers have yet to be tried and tested.

- 5.4.3 It is therefore proposed to identify households with a minimum connection to Westminster and pilot discharge of duty into private sector accommodation for them. Under the Housing Act, an applicant with six months residence in Westminster, or who has no connection with Westminster but equally no connection anywhere else, becomes the responsibility of Westminster. We will initially target applicants whose only connection (in terms of Housing Act definition) is 12 months or less residence in Westminster.
- 5.4.4 Households applying as homeless will be investigated in the usual way. If we find we have a housing duty towards them and that they have 12 months or less residence we will assess whether they are capable of taking on a private sector tenancy and whether this would be appropriate in their individual circumstances. If so, they will be notified that we intend to meet our duty towards them via a private sector offer. The numbers will be small. If we are successful in the first six months of the year we will extend the pilot to cases with up to 18 months residence.
- 5.4.5 We will aim to have properties in more than one location and will talk to applicants about which they would prefer. Properties will be affordable to applicants on benefits and will meet the other requirements of the Homelessness (Suitability of Accommodation) (England) Order 2012 in terms of physical condition, health and safety and landlord behaviour. We recognise that in terms of location there may be disruption but we would argue that their connection with Westminster is so limited that it is reasonable for them to relocate. No-one who is working will be unable to commute to their workplace and we will ensure that the areas in which we find accommodation are towns with schools, hospitals, public transport, mixed communities etc. Tenancies will be of at least 12 months and where possible 24 months.
- 5.4.6 If we are satisfied that the accommodation is suitable, the applicant will be notified in writing that the offer brings our duty to an end and of the consequences of refusing or accepting the offer and of their right to request a review of the suitability of the accommodation. They will be advised that Westminster will still have a responsibility for their housing if they are made unintentionally homeless again within two years.
- 5.4.7 We will notify in writing the local housing authority in whose district the accommodation is situated as is required under the Housing Act.
- 5.4.8 We must expect that some households offered PRS as discharge of our housing duty will request a review of our decision as to the suitability of the accommodation and will if the review decision goes against them appeal to the county court on a point of law. We will want to be in a strong position to defend our decisions robustly against challenge and will need to monitor

similar challenges against other local authorities particularly around location as this new power starts to be used.

## **5.5 Further amendments to the Allocations Scheme**

5.5.1 The decision was taken in September 2012 to pilot for a year an amendment to the Council's Housing Allocation scheme to offer homeless households with one child under the age of three a one bedroom flat (rather than two bedrooms). This has been successful and 43 families have been housed so far. However, due to the reduced supply of WCC one bedroom flats and the large number of parents with a child under three accepted as homeless it is no longer possible to rehouse them straight from bed and breakfast which was the intention of the scheme, without breaching the six week limit. These families will instead need to be moved into alternative temporary accommodation and the scheme will be brought to an end. No new households will be accepted onto the scheme and those already accepted will be asked if they wish to continue to wait for an offer of a permanent one bedroom home or to wait in temporary accommodation for a two bedroom home.

5.5.2 Housing applicants who are working are given an additional 50 points on their housing application if they have a written contract showing they work at least 16 hours a week and have been in work for two years.

Under the new welfare reforms, people who work sufficient hours to qualify for Working Tax Credit, will be exempt from the benefit cap. Department for Work and Pensions (DWP), Job Centre Plus, and Housing Options will be encouraging people to enter employment or to increase their hours in order for the Household Benefit Cap not to apply. In order to be consistent with this message the qualification for workers points is to show proof of Working Tax Credit. It will also make it easier for Housing Options to verify that eligibility as most housing applicants working sufficient hours per week will qualify for Working Tax Credit, and will be able to provide proof of this.

5.5.3 Appendix C sets out changes to the published Allocations Scheme that either clarify existing policies or have been agreed in a previous cabinet member report since the last Scheme was published or included in the recommendations above (and the appendix highlights the source of the changes and the reasons for this.)

## **6. Intermediate Housing**

6.1 Changes to Westminster priorities for intermediate housing opportunities

The Council's Intermediate Housing Service "Home Ownership Westminster" (HOW) is administered on the City Council's behalf by Catalyst Housing, who hold the contract for the provision of this service.

- 6.2 HOW is responsible for maintaining a waiting list for intermediate housing opportunities in the City and for nominating qualifying applicants to intermediate housing schemes provided by the Council's Registered Provider (RP) partners in the City.
- 6.3 The City Council's current adopted priorities for intermediate housing opportunities that include shared ownership and intermediate rent opportunities are set out in the table below.

Category	Priority Group	Priority Group Details
Social housing tenants giving up their property for nomination to WCC waiting list MOD serving personnel ex Family Quota applicants (adult children of WCC tenants and leaseholders)	1	First offer within band to Social Housing tenants - all Council and RSL tenants living in Westminster.  Second offer to MOD serving personnel*.  Third offer to ex-family quota category waiting list applicants with a WCC issued and confirmed list number as at 31 March 2011
Waiting List for Council Housing	2	Homeless duty owed to re-house.
	3	All other Council Housing Waiting List categories.
Westminster residents	4	Currently living in Westminster.  (No nomination offer will be made until the term of residency is at least 12 months unless agreed by the Housing Development Manager.)
People working in Westminster	5	People employed in Westminster.  First preference within this group given to key workers meeting Westminster's definition**, over other professions.  (No nomination offer will be made until the period of employment in Westminster is at least 12 months unless agreed by the Housing Development Manager.)

- 6.4 Social Housing tenants are a priority 1 category for intermediate housing and include those RP social housing tenants where their landlord agrees to provide the City Council with nomination rights to the resultant social housing void once their tenant moves into intermediate housing.

- 6.5 In addition, serving MOD personnel and sons and daughters of existing Council tenants (ex-family quota) are priority 1 category groups for intermediate housing and will be made second and third offers of intermediate accommodation respectively following initial offers of intermediate housing to existing social housing tenants.
- 6.6 It is proposed that a fourth offer category should be included within priority group 1 for intermediate housing opportunities. These are existing intermediate rented tenants who wish to move on to alternative intermediate rent accommodation more suited to their housing need or into shared ownership and where their current landlord agrees to provide nomination rights to the City Council to the resultant intermediate void property.
- 6.7 In order to qualify for new intermediate housing opportunities in the City, existing intermediate rented tenants will be required to register with Home Ownership Westminster, be residing in the City and for Westminster to have confirmation from their landlord in writing that nomination rights will be granted to Westminster into the resulting intermediate void.

## **7. Financial Implications**

### **7.1 Homelessness**

- 7.1.1 The gross Housing General Fund homelessness budget for 2013/ 14 is £40.968m gross and includes £29.258m for the provision of temporary accommodation.

### **7.2 Homelessness and Housing Support Directorate (HHSD) Grant**

- 7.2.1 For 2013/14 the City Council has been awarded a revenue grant of £8.1m for reduction in the use of bed and breakfast accommodation, homelessness prevention and rough sleeping services aimed at reducing the numbers of rough sleepers. However the grant is now accounted for in corporate Finance and this reduction has not been passported through to housing in 2013-14.

### **7.3 Supporting People**

- 7.3.1 As described above the former Supporting People grant allocation is now included as Formula Grant and the total planned expenditure is £13.2m

### **7.4 Capital Expenditure – Housing and Physical Disability**

7.4.1 The 2013/14 indicative budget for gross capital expenditure on Disabled Facilities Grants to private sector tenants is £660k. This budget is contained within the Housing General Fund capital programme.

7.4.2 In 2013/14, the HRA capital budget for Aids and Adaptations is £800k.

## 7.5 Capital Expenditure – Affordable Housing

7.5.1 Within the Housing General Fund capital programme for 2013/14 there is an indicative £18m for the funding of new affordable housing supply via housing associations. This is combined with HCA Funding and Section 106 opportunities to maximise the supply of affordable homes.

## 8. Legal Implications

8.1 Local Authorities have a legal duty under the Housing Act 1996 to assist people if they have nowhere to live and satisfy the criteria below :-

- Eligible for assistance in accordance with section 185 of the Housing Act 1996
- Homeless in accordance with section 175 of the Housing Act 1996.
- Priority Need (e.g. a family with children, pregnant, vulnerable due to old age, disabilities, mental health, care leavers, domestic violence)Section 189 of the Housing Act 1996
- Intentionality – whether or not someone has done or failed to do something which was a deliberate act the consequence of which led to the loss of their home in accordance with section 191 of the Housing Act 1996.
- Local Connection under Section 193 of the Housing Act 1996

8.2 The City Council is therefore required to allocate housing in accordance with its allocation scheme pursuant to the Housing Act 1996. The options set out in this report are consistent with the City Council's allocation scheme.

8.3 By virtue of Section 1 of the Homelessness Act 2002 many Housing Authorities are required to prepare and update a homeless strategy. However, being an excellent authority, the City Council is exempted from that requirement by virtue of Article 3 of the Local Authorities' Plans and Strategies (Disapplication) (England) Order 2005. This is a non statutory report prepared outside the homelessness regime

## 9. Staffing Implications

9.1 There are none

## 10. Consultation

10.1.1 Ongoing consultation on housing supply and allocations issues is also carried out with key stakeholders both within and outside the Council, through meetings with RP's, the Housing Options Service Improvement Group and Partners Forum.

# **WESTMINSTER CITY COUNCIL**

## **STATEMENT OF DECISION**

**SUBJECT: Supply and Allocation of Social Housing and Low Cost Home Ownership 2013/14**

### **Summary of Decision:**

- (1) That the projected supply and proposed allocation of rented housing, as discussed in paragraph 3.1 and set out in Appendices A, B and B1 of the report, be noted;
- (2) That the amendments to the Council's Cash Incentive and Mutual Exchange Schemes to support the implementation of the under-occupation cap set out in paragraph 5.1 of the report, be agreed;
- (3) That the amendments to the Allocation Scheme to include giving priority to Armed Forces Personnel in paragraph 5.2 of the report, be agreed;
- (4) That a scheme to pilot discharge of duty into the private sector as set out in paragraph 5.4 of the report, be agreed;
- (5) That the minor amendments that either clarify existing policies or have been agreed in a previous Cabinet Member report since the last Scheme was published as set out in Appendix C, be agreed; and
- (6) That it be agreed that a fourth offer category be included within priority group 1 for intermediate housing opportunities for existing intermediate rented tenants who wish to move on to alternative intermediate rent accommodation.

### **Reason for Decision**

The proposals contained in this report set out the issues related to the development of allocation projections of the supply of social housing for 2013/14 to meet the Council's statutory obligations, meet the varying demands for social housing and to reduce the numbers of people living in Temporary Accommodation who are waiting for social housing.

**Peter Large (Head of Legal and Democratic Services)  
Westminster City Hall  
64 Victoria Street  
London SW1E 6QP**

**Publication Date: 19 June 2013  
Implementation Date: 26 June 2013 at 5.00pm  
Decision Ref No: CMfH&P/2013-14/03**



## SUPPLY OF RENTED ACCOMMODATION PROJECTIONS 2013/14

	<b>2013.14 Projection</b>
<b>WCC Stock</b>	
Casual voids and returned from major works	326
Returned from conversion/rehab.	10
<b>HA Stock</b>	
First Let Nominations	37
Relet Nominations (inc. Homebuy)	232
Additional supply for regeneration decants	60
<u>Total Net Voids</u>	<b>665</b>
<b>WCC Stock</b>	
Transfer (Existing WCC Tenants)	240
Less Decants for Major Works (non regen.)	-22
<u>Total Gross Voids</u>	<b>883</b>

## Appendix B

### Supply of Rented Accommodation 2013/14 – projections by property size

Supply	Bedsize					
	Studio	1	2	3	4+	Total
WCC Casual voids	85	130	65	42	4	326
Return from rehab	0	2	6	2	0	10
HA Stock all nominations	67	86	89	22	5	269
<b>Total Net Voids</b>	<b>152</b>	<b>218</b>	<b>160</b>	<b>66</b>	<b>9</b>	<b>605</b>
WCC Transfers	80	80	49	26	5	240
Less Decants for major works (non regen)	-2	-12	-5	-2	-1	-22
Additional supply for regeneration decants	0	33	12	9	6	60
<b>Total</b>	<b>230</b>	<b>319</b>	<b>216</b>	<b>99</b>	<b>19</b>	<b>883</b>

## Appendix B1

### Allocations projections of rented housing 2013/14 by property size

All allocations will be made via the City Council's Choice Based Letting Scheme except for those individuals who are identified for direct offers of accommodation. The following tables form a projection only but include all groups who access social housing; the actual allocation will be made after considering all the relevant issues relating to any applicant and his/ her household and will depend upon the bidding preferences of individuals under Choice.

<b>Tenant Transfers</b>	<b>St</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>Total</b>
Category A (in general list)	0	0	0	0	0	0	0
Decants/Major Works including Returning Decants	0	5	8	0	0	0	13
Decants regeneration works	0	47	23	13	7	0	90
Cash Incentive Scheme	1	29	15	2	0	0	47
Community Care Nominations	1	1	1	0	0	0	3
Accommodation for the elderly	3	24	0	0	0	0	27
Overcrowded tenants	0	3	29	23	3	0	58
Studios to 1 beds, Cat As, Management Transfers	3	58	19	6	0	0	86
<b>SUB TOTAL (Tenant Transfer List)</b>	<b>8</b>	<b>167</b>	<b>95</b>	<b>44</b>	<b>10</b>	<b>0</b>	<b>324</b>
<b>Waiting List</b>							
Homeless (inc S & S)	117	74	108	42	9	0	350
Category A	3	4	3	5	0	0	15
Accommodation for the elderly (inc hp)	61	31	0	0	0	0	92
Assist cash Incentive	3	8	0	0	0	0	11
Community Care Noms and DAT	3	0	0	0	0	0	3
Children Act Rehousing	0	0	4	5	0	0	9
Young People leaving care	13	5	1	0	0	0	19
Street Homeless and hostel move on quota	7	2	0	0	0	0	9
Second Succession	1	19	1	2	0	0	23
Staff Rehousings	2	0	0	0	0	0	2
Learning Disability Quota	0	3	0	0	0	0	3
Reciprocals	2	5	1	1	0	0	9
Mental health rehousing	10	0	0	0	0	0	10
RSL severe overcrowded	0	0	1	0	0	0	1
Pan London	0	1	2	0	0	0	3
<b>SUB TOTAL (HR)</b>	<b>222</b>	<b>152</b>	<b>121</b>	<b>55</b>	<b>9</b>	<b>0</b>	<b>559</b>
<b>GRAND TOTAL TTL/HR</b>	<b>230</b>	<b>319</b>	<b>216</b>	<b>99</b>	<b>19</b>	<b>0</b>	<b>883</b>

## Appendix C

Summary of Allocation Scheme Amendments 2013	Reference to 2011 Allocation Scheme		S&A/Other Report	
		Page & Section	Date	Page & Section
1. Insert new bullet point after 1.1.6 making reference to the new Regulations concerning Armed Forces Personnel (including Statutory Instrument references). <b>Reason:</b> Requirement as per the June 2012 Code of Guidance.	New	8 (1.1.6)	March 2013	
2. Insert new bullet point after 1.2.4 outlining the qualification criteria regarding local connection for Armed Forces Personnel. Wording outlined in March 2013 S&A report to Cabinet Member. <b>Reason:</b> Local Authorities cannot exclude Armed Forces Personnel on the basis that they have no local connection.	New	10 (1.2.5)	March 2013	
3. Remove 1.4.5 and any other references to 'Low Priority Group' and 'Part II Register'. <b>Reason:</b> No longer hold a housing register for those with no priority (Localism Act 2011).		11 (1.4.5)	16.05.12	36 (5.1.2)
4. Amend table at 1.4.6 with the following; <b>Point 4</b> – Remove 'which is reasonable to occupy' (see section 5.1.2 of the S&A report 16.05.12) <b>Point 5</b> – Update amounts for income and savings thresholds to reflect current rates and insert sentence stating 'Any compensation awarded to ex-Service and Service Personnel of the Armed Forces for injuries sustained while serving will be discounted' (see March 2013 S&A report) <b>Point 13</b> – Include 'a household in which a person has been prosecuted and found guilty of anti-social behaviour including for example theft, public disorder offences etc' (S&A report 16.05.12) <b>Reason:</b> No longer have a Part II Register and to clarify qualification criteria.		11 (1.4.6)	16.05.12	37 (5.1.2)
5. Replace 'Two months' with 'six weeks' in the following sentence 'The time limit for bidding will be set depending on the supply of housing and the type, but will be between <b>six weeks</b> and <b>three months</b> '. <b>Reason:</b> To bring Pathway applicants in line with homeless. See also point 29 below.		15 (2.2.8)	16.05.12	39 (5.1.6)
6. Insert a new bullet point after 2.4.5 stating that applicants cannot be included in more than one priority group. See also page 63 (5.5) regarding Medical Priority applicants.		18 (2.4.5)		

<b>Reason:</b> To clarify that applicants can only register on one list and will only receive one set of priority points eg cannot have medical priority and also get points for being overcrowded.				
7. Insert new bullet point after 2.5.3 stating that private sector applicants eligible for Community Supportive Housing who are subject to DHP and threatened with homelessness will receive additional 50 points. <b>Reason:</b> To give them greater priority for bidding to prevent them becoming homeless.	New	20 (2.5.4)		
8. Insert new bullet point after 2.5.4 above stating that Renewal Scheme Decants with high or medium local connection will receive additional points (1-5). Further details in Decant Policy. <b>Reason:</b> To assist with prioritising Renewal Scheme Decant applicants. Refer to Decant Policy for details.	New	20 (2.5.5)		
9. Insert new bullet point after 2.5.10 stating that Armed Forces Personnel will receive additional ten points. <b>Reason:</b> To give additional priority to Armed Forces Personnel as per June 2012 Code of Guidance.	New	21 (2.5.10)	March 2013	
10. Points table updated with; <ul style="list-style-type: none"> <li>• Armed Forces + 10 points</li> <li>• Renewal Scheme Decants with local connection + 1-5 points</li> <li>• WL Community Supportive Housing applicants subject to LHA + 50 points</li> <li>• Studio to 1-bed applicants 100 points (reduced from 350)</li> <li>• Pathways applicants get 150 points (raised from 50) in line with homeless</li> <li>• Homeless Lease End applicants + 200 points</li> </ul>	New	23 & 25		
11. Insert new bullet point after 2.10.7 stating that some Decant applicants on the Renewal Schemes may be excluded from the TMO process. <b>Reason:</b> TMO properties may need to be direct offers. Refer to Decant Policy for details.	New	35 (2.10.7)		
12. Amend paragraph to clarify that where the partner of a tenant lives elsewhere, their application will be given points based on whichever accommodation best meets the need of the household. Where the household includes babies the tenant will need to confirm where the babies reside. <b>Reason:</b> For further clarification on eligibility and priority for co-habiting and other tenants.		37 (2.12.6)		
13. Move paragraph at 3.1.1 regarding 2002 Cabinet Member report to after 3.1.3. <b>Reason:</b> For clarity.		39 (3.1.1)		

14. Amend paragraph to include CIS grants also apply to tenants moving via Mutual Exchange. <b>Reason:</b> To encourage Mutual Exchange moves. Refer to CIS proposals in March 2013 S&A report.	New	39 (3.1.4)	March 2013	
15. Insert a new bullet point after 3.1.4 stating that CIS payments will not be made where the parents have asked their child/ren to leave the family home (and the Council has placed the child/ren in accommodation). <b>Reason:</b> To discourage tenants from asking their children to leave the family home so that they can then apply to downsize via the CIS.	New	39 (3.1.4)		
16. Insert new bullet point after 3.1.11 stating that single people or couples <b>below</b> the pension credit age (PCA) and living in properties with three or more bedrooms will only be eligible for a move to a 1-bedroom property to be eligible for the grant. Policy remains the same for those above the PCA. <b>Reason:</b> Refer to CIS proposals in March 2013 S&A report.	New	40 (3.1.11)	March 2013	
17. Amend the following 'Applicants may give up their large property in exchange for an equivalent number of smaller units <b>but only where one bedroom is gained...</b> ' and remove the remaining sentence 'No CIS grant will be paid. For example etc....' Applies to applicants above and below PCA. <b>Reason:</b> Refer to CIS proposals in March 2013 S&A report.	New	40 (3.1.13)	March 2013	
18. Update tables 1 &2 to reflect new payments for those above and below pension credit age.	New	42 (3.1.23)	March 2013	
19. Amend 4.1.2 to say 'Management Transfers are for existing Westminster Council tenants only <b>and will be considered where all other routes to accommodation have been exhausted (eg the tenant is not able to access housing through one of the other priority re-housing groups)</b> '. <b>Reason:</b> To clarify that Management Transfers will only be agreed where all other housing options have been considered.	New	46 (4.1.2)		
20. Insert new bullet point after 4.1.7 stating that in circumstances where applicants are in properties too large for their needs they will be required to make use of the Cash Incentive scheme and will not be moved to a similar sized property as their current tenancy. <b>Reason:</b> To make best use of housing stock and use most appropriate priority list for tenants.	New	46 (4.1.7)		
21. Insert new bullet point after 4.2.9 making reference to Renewal Scheme Decants. <b>Reason:</b> To link in with the Renewal Scheme Decant Policy.	New	49 (4.2.9)		
22. Insert new bullet point after 5.1.5 stating that Registered Provider tenants applying for medical	New	60 (5.1.5)		

<p>priority should be assessed by their own landlord initially and that the Council will liaise with the RP, therefore the Council may not give Medical Priority to the RP tenant.</p> <p><b>Reason:</b> To clarify that RP tenants may not be awarded priority by the Council and that their own landlord is assisting them where possible.</p>				
<p>23. Amend 5.1.6 regarding the removal from a priority group. State that applicants will be expected to co-operate in seeking private sector accommodation but if no suitable accommodation can be found within a reasonable period of time they may be placed on the Medical Priority list.</p> <p><b>Reason:</b> To clarify what is being offered to private sector applicants and under what circumstances we will place them on the priority list.</p>		60 (5.1.6)		
<p>24. Add sentence to clarify that Cat A Medical Priority tenants will be offered a property suitable to their needs and be assessed in line with the bedroom standard except where an extra bedroom has been assessed as necessary.</p> <p><b>Reason:</b> To clarify that medical priority applicants may not be offered the same size property as their current tenancy.</p>	New	60 (5.1.10)		
<p>25. Insert a new bullet point after 6.1.5 stating that the registration date for overcrowded tenants will be the date they originally registered and not the date they become eligible for a larger property (see also point 26 below for those bidding down for a 1-bed).</p> <p><b>Reason:</b> To clarify the registration date in circumstances where tenants require a larger property after initial registration.</p>	New	64 (6.1.5)		
<p>26. Amend 6.1.12 to say ‘...households with an HHSRS risk rating of 5000 or more or who are <b>statutorily overcrowded</b> under Part X Housing Act 1985’ rather than ‘...or who are overcrowded’.</p> <p><b>Reason:</b> To make it clear that applicants must be statutorily overcrowded and not just overcrowded.</p>		65 (6.1.12)		
<p>27. Amend 6.1.17 by removing ‘not be eligible to join this Priority Group...’ and ‘Failure to co-operate may lead to them being removed from the Priority Group’. They cannot be removed from the priority group if they are not eligible.</p> <p><b>Reason:</b> For clarity on registering overcrowded private sector tenants.</p>		66 (6.1.17)		
<p>28. Amend 8.1 to state that accommodation will be offered in line with the bedroom standard unless a larger property is agreed by the appropriate panel/re-housing manager.</p>		69 (8.1)		

<b>Reason:</b> To clarify the bedroom size applicants are eligible for and who agrees it.				
29. Amend 8.2.6 to specify that single clients on the Pathway list will be time-limited for bidding for a minimum of 6 weeks followed by a direct offer in line with single homeless applicants. See also point 5 above. <b>Reason:</b> To clarify length of time applicants are bidding.		69 (8.2.6)	16.05.12	69 (8.2)
30. Update section on Pan London Mobility (housingmoves). <b>Reason:</b> Scheme was launched on 21 <sup>st</sup> May 2012.		72 (9.1.2)	16.05.12	38 (5.1.5)
31. Amend CSH section to clarify that applicants already in CSH need to be assessed by JAPOP for alternative CSH eg “The panel determines the support needs of applicants applying for Community Supportive Housing. <b>This includes Council and RP tenants already living in Community Supportive Housing</b> ”. <b>Reason:</b> To clarify that applicants applying for a transfer and who are already in CSH need to be assessed by JAPOP in case their circumstances/support needs have changed.	New	73 (10.5)		
32. Amend bedroom standard table at 12.5 regarding same sex siblings. <b>Reason:</b> To reflect changes made by the Welfare Reform Act.	New	77 (12.5)	20.09.12	4 (4.13)
33. Amend wording for Bedroom Standard re: age gap for two people sharing. Replace ‘...where there is less than a ten year age gap’ to say ‘...where the age gap is ten years or less’ <b>Reason:</b> To clarify that the age gap is ten or less, not less than ten.		77 (12.5)		
34. Insert a new bullet point after 12.9 stating that HP applicants with a child under three will be offered a 1-bedroom property. See September 2012 report to Cabinet Member. This was a pilot introduced from September 2012 and will be under continual review depending on supply. <b>Reason:</b> To make use of the current supply of 1-bedroom properties and reduce the length of time these households are placed in TA.		78	20.09.12	2 (4)
35. Replace ‘they will be moved to the lower priority housing group’ with ‘they will be suspended for bidding for up to six months’. <b>Reason:</b> No longer have a low priority group register (see point 4 above).		79 (13.3)		
36. Remove reference to lower priority housing group register and replace with ‘Applicants who refuse the maximum number of direct offers to which they are entitled will have their housing application closed with the exception of homeless applicants who will be suspended from bidding pending the outcome of any suitability reviews. Applicants may attend the Council for a		79 (13.6)		



<p>priority group re-assessment if their circumstances change. If they are placed in a priority group, their application will be effective from the date they are re-registered’.</p> <p><b>Reason:</b> No longer have a low priority register (see point 4 above).</p>				
<p>37. Update Information and Reviews section on rights to request a review and when.</p> <p><b>Reason:</b> To ensure section is up to date and reflect any changes.</p>		81 (14)		
<p>38. Local Lettings – add the word ‘priority’ to ‘<i>The exact residential criteria <b>and priority</b> may vary from scheme to scheme, but will be clearly set out at the start of the process</i>’.</p> <p><b>Reason:</b> To make it clear that the household’s priority may differ per scheme, not just the residential criteria.</p>		87 (16.4)		
<p>39. Discharge of duty into private rented sector (does not apply to households in TA accepted prior to commencement of Localism Act). The Localism Act enables local authorities to end the main homelessness duty by arranging an offer of suitable accommodation in the PRS without the applicant’s agreement. Commenced 9<sup>th</sup> November 2012. Will be piloted initially, no change to Scheme at present.</p> <p><b>Reason:</b> To be able to discharge duty into the private rented sector.</p>			16.05.12	35 (5.1.1)
<p>40. Remove references to ‘permanent’ and ‘secure’ accommodation throughout the scheme to reflect Flexible Tenancies.</p> <p><b>Reason:</b> No longer offer lifetime tenancies eg ‘permanent’ accommodation to new tenants.</p>		General		
<p>41. Update Glossary.</p>				
<p>42. Add Tenancy Policy as appendix.</p>				
<p>43. Replace current WCC tenancy agreement with new tenancy agreement re: Flexible Tenancies.</p>		Appendix III		

## **GLOSSARY OF TERMS**

### **Affordable Housing**

Subsidised, low cost housing for rent or shared ownership.

### **Asylum Seeker**

Any person who has lodged an appeal for asylum but whose application has not yet been resolved (Home Office definition).

### **BBS**

Buildings Based Services for Rough Sleepers

### **Cash Incentive Scheme (CIS)**

Scheme offering financial and other assistance to encourage tenants occupying a property too large for their needs to move to smaller accommodation. Also applies to tenants moving out of WCC accommodation altogether.

### **Casual Void**

A vacant home which has become available at “no cost” to the Council, i.e. where the Council have not had to rehouse a tenant, either directly or indirectly, to create the void, eg. a tenant who moves into the private sector.

### **CLG –Communities and Local Government**

Formerly Department of Communities and Local Government, now abbreviated to Communities and Local Government. The Government department currently responsible for local government and housing.

### **Decant**

A permanent or temporary move of a tenant to allow major works/ refurbishment to be carried out, or prior to demolition and redevelopment.

### **English Partnerships (now part of HCA)**

Government agency responsible for promoting sustainable regeneration, housing, strategic brownfield development and best practice.

### **First Let Nominations**

Lettings from RP housing not previously available to the City Council, e.g. newly built.

### **Floating Support**

A support service provided to people living in their own home, that is not a condition of residence, as opposed to a hostel or supported housing scheme.

### **GOL -Government Office for London**

Regional Government office covering the capital responsible for allocating resources and monitoring local authority housing strategies.

### **GLA -Greater London Authority**

Local authority responsible for certain strategic services (e.g. transportation, planning, etc) covering the whole of London. From 2008 the Mayor of London has responsibility at the strategic level for housing.

### **Homelessness Act 2002**

The Act which reforms the legislation on homelessness and the allocation of social housing, and introduces a statutory requirement to carry out a homelessness audit or review and publish a homelessness strategy.

### **Homes and Communities Agency**

The Homes and Communities Agency is the new new housing and regeneration agency for England. It has been formed to join up the delivery of housing and regeneration, bringing together the functions of English Partnerships, the Housing Corporation, and a range of work carried out by the Communities and Local Government Department, including delivery in the areas of decent homes, housing market renewal, housing PFI, housing growth and urban regeneration.

### **Hostel Reciprocal**

An agreement whereby the Council nominates a vulnerable person to whom there is a statutory homelessness duty to a voluntary sector hostel for initial assessment and rehabilitation, and in turn the hostel has the right to nominate a person for social housing by the Council.

### **Housing Corporation**

Government agency responsible for funding and monitoring Registered Social Landlords principally housing associations. (Now Homes and Communities Agency)

### **Housing Register**

A list of those requesting and eligible for council housing.

### **Key Worker**

People who are considered essential workers such as nurses, teachers, social workers and police officers.

## **LDA –London Development Agency**

Regional agency responsible for delivering the Mayor of London's Plan and economic objectives.

## **London Councils**

An organisation representing the London local authorities, formerly called Association of London Government

## **Rough Sleeping and Hostel Move On Quota**

A rehousing quota available for agencies providing hostels for rough sleepers.

## **Net Voids**

Total supply excluding tenant transfers, exchanges and reciprocals.

## **Primary Care Trust (PCT)**

The statutory organisation responsible for commissioning and providing primary health care services (GPs, community nursing etc). A PCT for the whole of Westminster came into effect in April 2002.

## **Priority Need**

Section 189(1) of the Housing Act 1996 defines the following groups as being in priority need:

- Pregnant Women
- Household with dependent children
- Those vulnerable because of mental-health, physical disability, old age or other special reason.
- A person who is homeless or threatened with homelessness as a result of an emergency such as flood, fire or other disaster.

This has since been amended by the homelessness Priority Need Order (see below).

## **Priority Need Order**

A statutory instrument, which came into effect on 31 July 2002, and which extends the categories of people who are classified as in priority need of housing assistance – to include 16/17 year olds, care leavers aged 18 – 21 and those leaving institutions.

### **Priority Rehousing Group**

The City Council has identified a number of groups of applicants who should receive priority consideration for rehousing because of their housing need (e.g. Category A Medical).

### **Reciprocal**

Exchange of nomination rights with another social landlord.

### **Registered Providers (RP's)**

Social landlords including housing associations and local housing companies registered with the Housing Corporation.

### **Relet Nominations**

Nominations to existing RP stock.

### **Right to Buy (RTB)**

A statutory scheme that enables secure tenants to purchase their home at a discount, the level of which depends upon the length of public sector tenancy up to a maximum level.

### **Stage 2 Accommodation**

Self-contained, temporary housing.

### **Starter Homes Initiative**

A government initiative to fund shared ownership schemes for key workers.

### **Supporting People**

Funding framework for housing related support services for vulnerable people.

### **Vulnerable**

A priority need category under Section 189(1), Part VIII, Housing Act 1996 (see Priority Need).

For completion by the **Cabinet Member for Housing and Property**

**Declaration of Interest**

I have <no interest to declare / to declare an interest> in respect of this report

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

NAME: \_\_\_\_\_

State nature of interest if any

.....  
.....  
.....

*(N.B: If you have an interest you should seek advice as to whether it is appropriate to make a decision in relation to this matter)*

For the reasons set out above, I agree the recommendation(s) in the report entitled **Supply and Allocation of Social Housing and Low Cost Home Ownership 2013/14** and reject any alternative options which are referred to but not recommended.

Signed .....

**Cabinet Member for Housing and Property**

Date .....

If you have any additional comment which you would want actioned in connection with your decision you should discuss this with the report author and then set out your comment below before the report and this pro-forma is returned to the Secretariat for processing.

Additional comment:

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If you do not wish to approve the recommendations, or wish to make an alternative decision, it is important that you consult the report author, the Head of Legal and Democratic Services, Chief Operating Officer and, if there are resources implications, the Director of Human Resources (or their representatives) so that (1) you can be made aware of any further relevant considerations that you should take into account before making the decision and (2) your reasons for the decision can be properly identified and recorded, as required by law.

Note to Cabinet Member: Your decision will now be published and copied to the Members of the relevant Policy & Scrutiny Committee. If the decision falls within the criteria for call-in, it will not be implemented until five working days have elapsed from publication to allow the Policy and Scrutiny Committee to decide whether it wishes to call the matter in.