



City of Westminster Cabinet Member Report

Decision Maker:	Cabinet Member for Housing and Customer Services
Date:	20 th November 2018
Classification:	General Release
Title:	Supply and Allocation of Social Housing 2018/19
Wards Affected:	All
Key Decision:	Yes
Financial Summary:	The gross Housing General Fund homelessness budget, excluding Prevention, for 2018/ 19 is £54.1m. Of this sum about £46.2m relates to the provision of temporary accommodation.
Report of:	Tom McGregor – Director of Housing and Regeneration

1. Executive Summary

- 1.1 This annual report reviews the demand for and supply of social rented housing and low-cost home ownership in and considers supply and demand projections for 2018/19.
- 1.2 The report also makes proposals for the allocation of the supply of social housing in 2018/19 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.
- 1.3 In particular the report sets out:
 - Current projections of supply and the proposed allocation of social housing for 2018/19
 - An update on the supply of future temporary and social housing and how the new homelessness policy framework is being made use of, in particular the power to discharge duty into the private rented sector
 - Updates to the Intermediate Housing Allocations priorities and principles for Local Lettings Plans for the Council's infill programme and for housing renewal areas.

2. Recommendations

2.1 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

2.2 Intermediate Allocations Priorities

In order to enable current Intermediate Renting (IMR) tenants to move to more suitable IMR properties and to prioritise people living and working in Westminster for IMR, it is recommended that the priorities for allocating intermediate housing are amended so that:

- 1) Existing Intermediate Renting (IMR) tenants in Westminster living currently in shared IMR accommodation into which the Council has nomination rights will be eligible to bid for self-contained IMR properties
- 2) Existing IMR tenants in Westminster who are living currently in shared IMR accommodation and are overcrowded will be eligible to bid for larger IMR accommodation
- 3) Westminster households who currently live and work in Westminster will have higher priority for intermediate housing opportunities in the City (IMR and Shared Ownership) over those that only live in the borough and work outside or only work in the borough.
- 4) The updated priority table, set out in paragraph 5.1 is approved

Intermediate Tenancy Renewals

- 5) It is also recommended that IMR tenants, who are living in a scheme which does not include a linked initiative leading onto home ownership, (e.g. is not part of a savings plan such as that operated by Westminster Community Homes or the Westminster Home Ownership Accelerator operated by Dolphin Square Foundation) should be able to have their tenancy period renewed for a further period on the condition that the household continues to be eligible for intermediate housing in Westminster.
- 6) Households who are currently living in an Intermediate Scheme and do not have their tenancies renewed for that specific scheme due to the lettings policy of the particular landlord in question or as a condition of planning, but remain eligible for Intermediate Housing, are able to apply for alternative Intermediate Housing from 6 months before their tenancy is due to end. This would not apply for households whose tenancy was not being renewed for reasons of Anti-social behaviour or rent arrears. Households

approaching the end of their original tenancy period and who remain eligible to have the tenancy extended are not able to bid for other intermediate rented properties.

2.3 Homeless Reduction Act

It is recommended that the changes, as approved by Counsel, to the Housing Allocations Scheme, in order to meet the requirements of the Act are continued. It is recommended, for noting, that the Homeless Reduction Act has been in force since 3rd April 2018 and changes how the Council helps people or households who are or may become homeless. The Council worked to put new arrangements in place for when the new law came into force. A summary of the Council's approach to the Act is set out in paragraph 5.2 including that a full review of homelessness and Homelessness Strategy will be in place in 2019. .

2.4 Tenancy Strategy and Tenancy Policy: charging higher rents for higher earners

The Council's Tenancy Strategy, published in 2012, supports the principle of higher rents for higher earning social housing tenants and sets out some preferred principles for a scheme. The scheme outlines that higher rents would be charged to flexible/fixed term tenants upon the renewal of their tenancy, where the joint income of the tenant and their spouse or partner exceeds £66k for those living in properties up to two bedrooms and £80k for those living in larger properties. The first of the new charges were anticipated to be during 2019 when the first fixed term/ flexible tenancies were due to expire

It was acknowledged in both the Tenancy Strategy and Tenancy Policy that the sections relating to higher rents would need to be reviewed and updated, as at the time of their development government was planning to introduce a national Pay to Stay scheme for all social housing tenants.

It is recommended that the Council does not introduce its local scheme in 2019 for flexible/fixed term tenants and removes the references to rent increases in Section 9 of its Tenancy Strategy and removes paragraphs 8.3 – 8.8 of its Tenancy Policy. The reasons for this are that a full review of the Tenancy Strategy and Policy is planned, now the recently published Green Paper has highlighted that the government does not now propose to implement the provisions of the Housing and Planning Act 2015 to make fixed term tenancies mandatory for local authority tenants. In addition analysis shows that it is unlikely that many households would be impacted by the current scheme and income levels would be low after costs.

2.5 **Local Lettings Plans: Infill Programme**

The 2017/18 Supply and Allocations report sets out how the Council has been assessing the potential to deliver housing on smaller sites in the City as part of the Infill Programme to provide new homes, promote work and support the local economy. To promote the benefits of potentially disruptive development to existing communities and to encourage local resident support it was agreed that for each new infill housing development a local lettings plan (LLP) is developed that prioritises meeting local housing need in line with the Council's Housing Allocations Policy.

It is recommended that approval of each Local Lettings Infill Scheme plan is delegated to the Director of Housing and Regeneration in consultation with the Cabinet Member.

When being developed, each plan will follow the key principles below:

- The extent of the boundary of the LLP are the streets within the estates directly affected by the development as defined on a case by case basis
- The LLP applies to both new social housing and intermediate housing
- The LLP is applicable to people who have lived within the boundary for 12 months
- First priority for the new social housing is to households registered with City West Homes for transfers from their current homes with properties then allocated in line with priorities within the Allocations Scheme
- Second priority for the new social housing is to anyone else on the Housing Register and this includes homeless households
- Where social housing properties remain unlet through the above, then they are allocated following the Allocations Scheme
- Any intermediate housing developed will be let in line with the current priorities for intermediate housing, although those who are working within the boundary who are not residents, will be excluded from the LLP

It is recommended that in consultation with the Cabinet Member for Housing, The Director of Housing and Regeneration has the delegated authority to use discretion when applying these principles to individual Local Lettings Plans and once developed the LLP will be shared through the local development newsletters.

2.6 **Local Lettings Plans: Regeneration Areas**

Local Lettings Plan will be required for all regeneration areas. It is recommended that approval of each Local Lettings Regeneration Area plan is delegated to the Director of Housing and Regeneration in consultation with the relevant Cabinet Member following consultation with the local community. When developing the LLP the following principles will be proposed:

- The boundary of the LLP is generally the master plan area but some flexibility can be applied on a site by site basis
- The LLP is applicable to people who have lived within the boundary for 12 months
- First priority for the new social housing will be for previous social housing tenants who had to move away to enable the regeneration scheme to take place and are now returning
- Second priority for the new social housing is for households whose homes are being demolished in later phases
- Third priority for the social housing will be for those registered with City West Homes for a transfer
- Fourth priority for the social housing will be for anyone else in the LLP area in line with the Allocations Scheme
- Any intermediate housing will be included and allocated in line with current priorities although those who are working within the boundary who are not residents, will be excluded from the LLP
- The LLP will also set out how homes for resident leaseholders who are returning to the area are to be allocated

It is recommended that in consultation with the Cabinet Member, The Director of Housing and Regeneration has the delegated authority to use discretion when applying these principles to individual Local Lettings Plans

2.6.1 In line with the above process it is thus recommended that a Local Lettings Plan will be developed for consultation for the new housing being developed at Tollgate for consultation, with the Director of Housing approving the final LLP in consultation with the Cabinet Member

2.7 **Review of the homelessness policy framework**

An internal review of the framework has taken place and the findings presented and agreed with the Cabinet Member for Housing and Customer Services. It is recommended for noting that the review of the Private Rented Sector Offers, Accommodation Placement and Accommodation Procurement Policies found that

they are considered to still provide a robust framework to meet their objectives. It is recommended that minor changes are made to the Accommodation Procurement Policy to: update the annual Action Plan, update the figures and to update some of the wording so the Policy better reflects market conditions. The reference to Universal Credit as a key cost pressure for TA is also updated. The full changes are set out in paragraph 5.6 and the updated Policy is in attached

2.8 Tenancy Strategy and Policy Update: Lifetime tenancies

- 2.8.1 In line with new legislation it is recommended that the Secure Tenancy section of the Tenancy Policy is updated to provide security of tenure to tenants who have had to move home as a result of domestic abuse, so secure tenancies will be granted to:

Any existing secure or assured tenant, that has to move home due to domestic abuse. This would also apply to a sole tenant that had lost their security of tenure by leaving the home due to domestic abuse, or to a joint tenant, where security of tenure had been lost by the tenancy being terminated. In all these circumstances, the City Council would need to be satisfied that the domestic abuse had taken place

It also recommended that the Tenancy Strategy is updated to make clear that the Council supports lifetime tenancies in these circumstances.

3. Reasons for Decision

- 3.1 The proposals contained in this report set out the issues related to the development of allocation projections for social housing for 2018/19 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

4. Background, including Policy Context

Social Rented Housing Supply and Allocation Projections

- 4.1 The following table summarises the position regarding the demand for and allocation of social rented housing over the past four years.

Demand Profile	31.3.14	31.3.15	31.3.16	31.3.17	31.3.18
Homelessness Applications (p.a.)	1002	1053	954	878	729
Homelessness Acceptances (p.a.)	705	617	511	496	443
Households in Temporary Accommodation	2283	2397	2423	2518	2521
Category A Transfer Applicants	81	105	113	124	208
Allocation Profile	31.3.14	31.3.15	31.3.16	31.3.17	31.3.18
Homeless Households	345	360	455	320	296
Tenant Transfers	238	245	227	209	145
Children Act Panel	20	11	17	21	17
Cash Incentive Scheme	39	40	50	40	4

4.2 Demand for Social Housing

4.2.1 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.

4.2.2 Acceptances of a housing duty to households, who are either homeless or threatened with homelessness, have decreased during 2017/18 in comparison with the numbers received in 2016/17. The number of acceptances is c. 55% of applications due to thorough investigation of applications and work to prevent homelessness or by offering alternative options.

4.3 Supply Projections

4.3.1 Initial projections for the supply of new lettings of affordable rented accommodation for 2018/19 is 710. This comprises the sum of casual voids from City West Homes, Registered Provider (RP) relets, RP first lets, spot purchases by WCH and CWH, delivery of infill schemes and tenant transfers. This is broken down as follows:

Supply by bedsize - 2018/19	Studio	1	2	3	4+	Total
CWH Casual voids	76	141	59	33	5	314
Return from long-term works	0	1	1	0	0	2
RP First Let Nominations	0	4	18	18	5	45
RP Relet Nominations - Affordable Rent	3	38	18	1	0	60
RP Relet Nominations - Social Rent	16	74	40	12	1	143
Westminster Community Homes additional supply	0	8	9	8	0	25
CWH Infill schemes - Social Rent	0	4	10	9	0	23
Total Net Voids	95	270	155	81	11	612
WCC Transfers	37	52	24	8	3	124
Less Decants for major works	-4	-10	-2	-8	-2	-26
Total Supply	128	312	177	81	12	710

4.3.2 The number of new affordable homes currently projected to be delivered by Registered Providers (RP) or directly by the Council during the period 2018/19 and 2019/20 is 901 units, made up of 851 new build or converted units plus 50 spot acquisitions. (The current projected figure of 50 through City West Homes or Westminster Community Homes in order to meet the temporary or permanent re-housing needs of residents affected by the Council's Housing Renewal programmes may change depending on circumstances and the timing of regeneration programmes.)

4.3.3 Included within the 901 new or converted homes during 2018 - 20, 76 are anticipated to be provided for social rent at target rents, 155 homes for affordable rent, 60 on City West Homes infill sites and 139 sheltered homes. The figures for social and affordable housing projected during 2018/19 are included in the table above. The remaining homes will be provided as intermediate housing either at sub market rents or as shared ownership, and a further 50 spot acquisitions are anticipated to be provided for varying affordable housing types. 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. There is a possibility that some of the schemes that are scheduled to complete towards the end of quarter 4 2019-20 are likely to slip in to the following year 2020/21.

4.3.4 Significant new schemes that will contribute towards these 901 new affordable homes are:

- North Wharf Gardens in Paddington, a section 106 scheme where Octavia Housing will deliver 16 affordable rent and 11 intermediate homes
- Sentinel House, NW1 a section 106 development where Octavia will deliver 41 affordable rent homes
- Tollgate Gardens, NW6 a Council development delivering 76 social rent, 10 intermediate homes
- Edgware Road, W2 a Council section 106 development delivering 26 affordable rent, 11 intermediate rent and 10 shared ownership homes
- Dudley House, W2 a Council scheme delivering 197 intermediate rent units

4.3.5 In addition to the 901 affordable homes anticipated to be delivered during the period 2018-2020, an additional pipeline of new housing developments exists that has the capacity to deliver c.1,400 additional affordable homes over a 5 year period starting from April 2020. This additional affordable housing supply will come from a mixture of sources including the Council's Housing Renewal areas and S106 development sites. Whilst some of the pipeline supply is under construction a number of schemes are yet to go on site or get planning consent.

4.3.6 Social Housing Relet supply from City West Homes is estimated to be 314 based on analysis of previous years' numbers.

An anticipated 203 relets from existing registered provider social housing stock is to be provided to the City Council during 2018/19. This projection is based on the average level of relets received by the City Council over the previous three years. 70% of relets to be provided during 2018/2019 are anticipated to be provided at rents equal to or below target rent levels, with the remainder at affordable rent levels

4.4 Housing Renewal and Community Build

4.4.1 Following publication of our Housing Renewal Strategy in 2010, for the past few years we have been working with residents and design professionals to develop firm plans for the regeneration of Church Street/Paddington Green, Tollgate Gardens Estate, and Ebury Bridge Estate.

4.4.2 On Tollgate Gardens, construction is advancing and remains broadly on track to an overall May 19 completion date. There will be a net gain of 27 affordable homes. Practical completion on the first homes expected in advance of this, with the initial social and intermediate units due to complete during 2019/20. Priority will be given to returning tenants who have had to be rehoused temporarily to enable the new homes to be built.

- 4.4.3 On Ebury Bridge Estate a new options appraisal is required to enhance viability. The Council proposes to co-create a new scheme with residents by engaging in a full and transparent consultation process that will explore a range of options.
- 4.4.4 The Council is delivering new affordable homes via the Infill Programme which optimises the use of Council land for small scale development. 5 properties have been completed with a further 20 due to complete by May 2019 Further feasibility studies and planning submissions are being progressed to achieve over 200 Infill homes in the next 5 years. As the first homes are let under this programme, priority will be given to local tenants in housing need.
- 4.4.5 Activity required to rehouse tenants as part of decanting programmes will increase as housing renewal schemes move forward. It is estimated that 26 households will require allocations of social housing to assist with decanting programmes during 2018/19.

4.5 Homelessness Projections and Prevention Update

- 4.5.1 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's immigration status entitles them and they are:

- Homeless with no alternative accommodation that is reasonable to occupy
- In priority need
- Has a local connection (or no local connection elsewhere.)

The Council is required to offer suitable Temporary Accommodation (TA) to accepted homeless households pending allocation.

The following table summarises the numbers of homeless applications and acceptances over the last five years and a more detailed monthly summary over the past 18 months.

Demand Profile	31.3.13	31.3.14	31.3.15	31.3.16	31.3.17	31.3.18
Homelessness Applications (p.a.)	1338	1002	1053	954	878	729
Homelessness Acceptances (p.a.)	813	705	617	511	496	443
Households in Temporary Accommodation	2450	2283	2397	2423	2518	2542

4.5.2 Going forward the Homeless Reduction Act and the different means by which local authorities meet and discharge the new homeless prevention and relief duties to households who approach in housing need will see changes in the way information is presented.

4.5.3 Private rented sector affordability has a key impact on homelessness. The number of households claiming Local Housing Allowance (LHA) in the private sector has reduced since the introduction of the original LHA caps in 2011 (see table below.) However the effects of the caps are still being felt and loss of private rented sector tenancies remains the primary driver of housing need in the borough increasing TA demand.

Bedsize	Claim numbers before 2011 Cap	Total claim numbers (January 2017)	Total Claim Numbers (January 2018)	Reduction (Total) - since 2011	Overall Reduction (%) - since 2011
1 Bed	3,099	1,844	1,803	1,296	42%
2 Bed	1,743	892	827	916	53%
3 Bed	766	365	349	417	54%
4 Bed	304	150	104	200	66%
TOTAL	5,912	3,251	3,083	2,829	48%

In addition, in 2011 there were 761 Shared Room claims and there are now 404. It should be noted that the above figures will also include new LHA claimants since 2011 (with most London boroughs showing an overall increase as a result.)

4.5.4 Helping homeless households to improve their employment prospects is part of homelessness prevention. The Homelessness Employment Learning Project (HELP) provides an integrated one stop shop through a partnership, providing housing, employment and welfare support. Officers include an employment charity, housing officers, the DWP and a children's social worker and provides outreach to where people live in TA to help people move into work.

As part of the ongoing evaluation of HELP an impact assessment comparing the employment outcomes achieved for HELP clients, against a similar cohort of Westminster residents was completed. In general, HELP clients improved their employment prospects and earnings to a greater extent than the comparison group:

- Over the period, unemployment reduced by 10% for HELP clients, compared to baseline of 3% for the comparison group
- On average, HELP clients increased their weekly working hours by an extra 1.3 hours, compared to the comparison group
- On average, HELP clients increased their average earnings by £1,030 more per year, compared to the comparison group

Homeless Prevention and Forecasts

4.5.5 Homeless prevention remains the central focus of work with households in housing need, whether challenging illegal evictions, providing debt advice, supporting families to remain together and assisting with private sector moves. In the past year 254 private sector prevention placements have been made, 82 into properties in Westminster, 135 into other boroughs and 7 outside of London.

4.5.6 Partly in response to the long waits most applicants currently have for a social housing tenancy a Private Rented Sector Offers Policy (PRSO) was introduced in 2017, to offer households a private renting tenancy, rather than them waiting in TA for social housing. A Private rented sector offer (PRSO) brings the Council's rehousing duty to homeless households to an end. Section 5.6.1 – 5.6.17 highlights the outcomes of the first year of the policy. 80 private sector discharges of duty were completed in 2017/18. All properties are 2 and 3 bedroom family size units, inspected and viewed before letting and are let at or close to LHA levels, guaranteed for at least 2 years and thus are affordable. Follow-up visits by officers are completed and should any tenancy breakdown through no fault of the tenant then the Council will rehouse the household.

A positive source of supply of properties has been through the St Mungo's Real Lettings scheme which the Council has invested in to secure a pipeline of good quality housing with support.

This total number of discharges of duty compares with the 130, 2 bed social housing lettings made to homeless households over the same time period. This shows that this scheme has increased the total amount of settled, good quality

family sized accommodation available for homeless households by over 57%. Similarly the number of private rented sector offers represents c. 50% of new homeless family need during the year (although all newly accepted homeless households would not be the ones to have moved in.)

- 4.5.7 Given the pressures from homeless acceptances during 2017/18, the forecast for 2018/19, the continued pressures in securing properties for Temporary Accommodation the percentage of total rehosings made available to homeless households (currently over 60%) are to be retained, in particular for larger units.
- 4.5.8 The principal factor that is driving the high levels of homelessness continues to be the availability of private sector housing for households on benefits. Homeless acceptances were 443 during 2017/18 an expected full-year reduction of over 300 from 2014 and this level of demand is expected to continue within the new legislative framework. As a result the total requirement for TA will remain between 2,300 – 2700 during 2018/19.

Temporary Accommodation Procurement Update

- 4.5.9 A new Accommodation Procurement Policy (APP) for Homeless Households was developed in 2017, replacing the TA Commissioning Strategy. It was part of a new framework of homelessness policies developed to reflect changes in the private sector housing market, the impact of legislative and welfare reform changes and rising TA costs.
- 4.5.10 A review of the APP has been carried out and more information is in paragraph 5.6. The central assumptions within the APP, is that a TA portfolio of at least 2,300 – 2,700 units will be required until 2020 and that increasing the supply of units through the traditional model of leasing from the private sector at the government set TA subsidy rates would not meet this requirement remain valid.
- 4.5.11 Few families are now placed in non-self-contained accommodation and these are for short periods of time. Maintaining this remains a very high priority (at a time when other London authorities are continuing to report use of B&B including for families for more than 6 weeks)
- 4.5.12 Increasing supply of properties that are affordable and sustainable for households on low incomes, whether for use as Temporary Accommodation, for private rented sector offers or to prevent homelessness remains very challenging within the current housing market. This is particularly the case for family sized accommodation.

- 4.5.13 The Council continues to make use of its own properties that are temporarily vacant through the regeneration programme and currently makes use of c. 30 units. Whilst clearly not a long-term solution this has provided a source of in-borough accommodation.
- 4.5.14 The Council has entered into a programme of purchasing properties for use as TA outside the borough and has completed over 100 purchases within Greater London and 45 within Westminster and these purchase programmes will continue during 2018/19.
- 4.5.15 The APP will continue to aim to deliver a reduction in unit costs of TA across the portfolio as a whole and ensure properties are affordable to households on benefits. At the same time the strength of the private market means that it is extremely challenging to maintain the existing properties when alternative markets are available and identify for purchase properties which are economic to purchase and rent to households on benefits.
- 4.5.16 To deliver a TA portfolio that meets budget targets remains closely linked to a central government set funding regime both for TA subsidy and to purchase properties directly that allows such activity to be economic and demonstrates clear value for money. The Council will continue to set rents for TA properties in line with the maximum amount eligible for HB subsidy within this formula.
- 4.5.17 Current TA levels are c. 2550 and this represents an increase of a third since 2012. Before the increase 75% of TA was located in-borough with the remainder in East London. Since the increase whilst the in-borough stock has largely been retained, TA properties are now located in over half of London boroughs with less than 100 properties outside London, principally in Essex and slightly under a half remains within Westminster.
- 4.5.18 There are legal criteria for the suitability of TA, taking in its physical aspects, location and considerations of affordability amongst other matters. The majority of households requiring TA are in receipt of benefits, and where accommodation is situated in-borough, this presents a financial challenge and/ or can only be provided above subsidy levels.

5. Service Issues that impact upon the supply and allocation of housing

5.1 Housing and Physical Disability

5.1.1 Expenditure on adaptations in 2017/18 was £1,092,191.91 with a further £507,278.64 work in progress as at 31 March 2018. 16 vacant units with adaptation requirements identified by Occupational Therapists (OT) and HOS were also funded to meet specific rehousing needs.

5.1.2 CWH had received 286 major adaptations referrals from 1 April 2017 to 31 March 2018 and 87 minor adaptations requests; a total of 174 major adaptations are practically complete as at 31 March 2018. In addition, 63 renewals were completed under the planned and maintenance programme. There have been 30 cancellations and another 23 requests on hold awaiting for clients' decisions regarding clarification of specification and/or transfers to other adapted properties rather than adapting their homes. There were 81 cases allocated as at 31 March 2018 and 73 of these have been practically complete.

5.1.3 The volume of OT referrals have increased 30% in 2017-18.

5.1.4 OT adaptations were completed within 20 working days from Paediatric and OT approvals and 92 working days for non-urgent cases. A new benchmark has been adapted by CWH based on the Home Adaptations for Disabled People's Good Practice Guide

5.1.5 The overall satisfaction levels in 2017-18 is 95%.

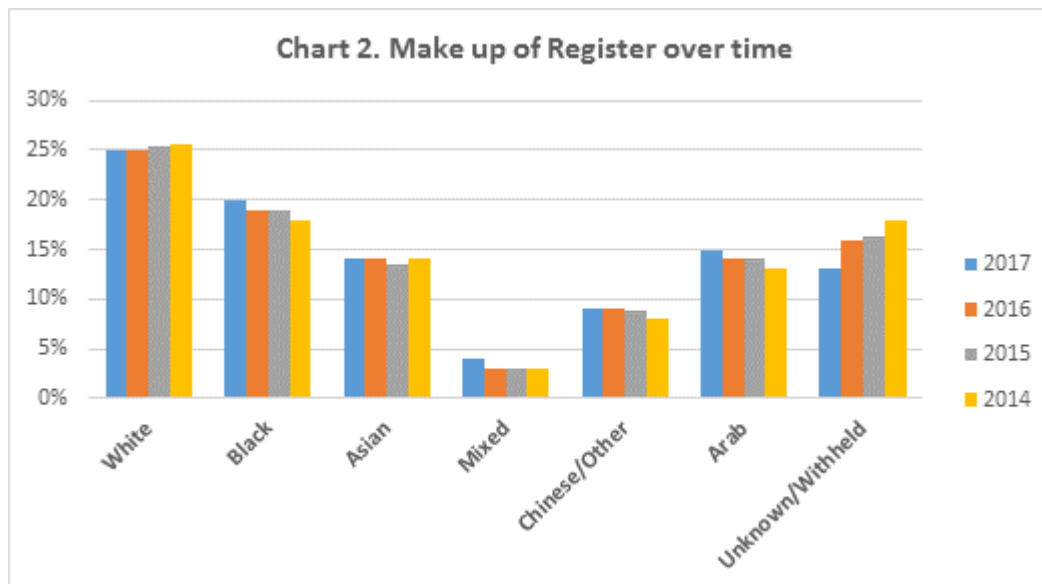
5.2 Equalities assessment and review

5.2.1 The annual equalities analysis looks at demand for social housing so we understand our customers, and also at social housing lets, which help ensure our policies are in compliance with the law. The following section analyses demand for accommodation and how properties are allocated. Each allocation will be treated on individual consideration of the merits of the application and in accordance with the Council's lawful Allocation Policy. The Council seeks to meaningfully observe the Public Sector Equality Duty in its policy and housing functions.

Demand for housing in 2017

5.2.2 Only households with priority for housing under the Allocations Scheme are registered, so the profile of the housing register is driven by the eligibility

criteria. As in previous years, certain ethnic groups (Black, Asian, Chinese and Arab) continued to have higher levels of housing need compared with their share of the population (see chart 1 below). White households continued to be under represented on the register in 2017 compared to their population share, making up 25% of need and 61% of the population

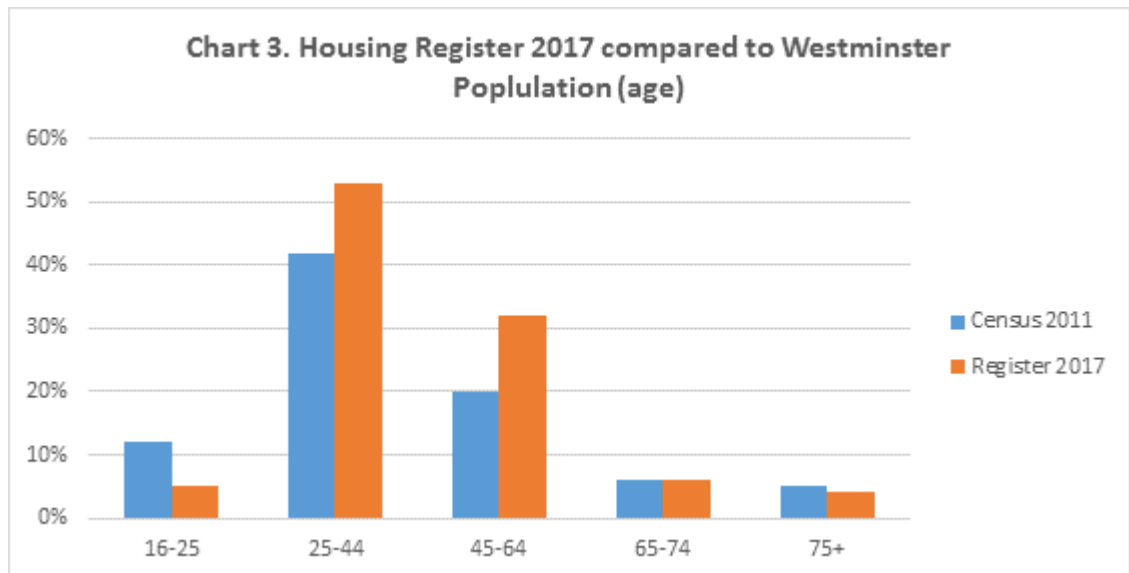


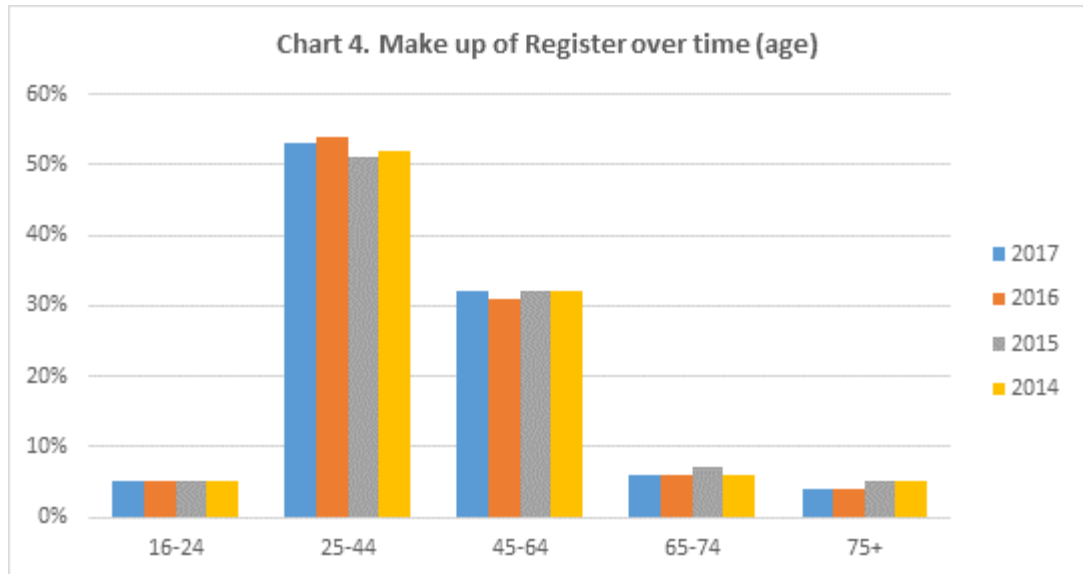
5.2.3 The profile of the register has changed over time, most notably the proportion of White households has fallen. In 2013 these households made up 31% of the register compared with 26% in 2014. However, over the last four years the proportion of White households has remained stable. The proportion of households with an Unknown/Withheld ethnic origin was higher in 2014 but has seen a gradual reduction between 2014 and 2017.

5.2.4 39% of applicants needed three or more bedrooms, and some ethnic groups continued to have an above average need for them i.e. 49% of Asian and 51% of Arab households needed larger homes.

5.2.5 A higher proportion of women (68%) were lead applicants on the housing register compared with their 49% share of the population.

5.2.6 The 25-44 age group continued to make up the biggest share (53%) of the housing register in 2017, a slight increase since 2015. They also make up the largest group in the Westminster population at 42%. Older people (65 and over) are slightly under represented making up 10% of the register and 15% of the population – although their proportion on the register has fluctuated over time as chart 4 shows.





5.2.7 Less than 1% of households needed a fully wheel chair adapted property which is the same as the 2006 housing needs survey estimate for the overall Westminster’s population. However there has been an increase in the number of households in TA requiring wheelchair accessible accommodation.

Lets 2016/17

5.2.8 The proportion of lets to different groups during 2016/17 is unlikely to reflect the profile of the register as:

- The make-up of the register changes over time and there is delay (often of many years) between registering for a property and a let due to supply shortages
- There is a particular shortage of family sized units and studios and one bedrooms make up nearly 60% of the stock – so groups needing larger properties will inevitably wait longer
- Households are prioritised for properties through a priority system and a quota of properties are let each year to each priority group
- The majority of lets are through choice based lettings (CBL) so applicants can choose whether to bid for properties.

However comparing lets in 2016/17 with the profile of the register is still useful to ensure there are no major discrepancies.

5.2.9 As the following table shows, overall lets to most ethnic groups were lower than their share of the register. This is with the exception of White groups where they were higher which is likely to be due to White groups making up a larger proportion of demand in the past (see chart 2) and by them having a greater need for smaller units which are more readily available.

Lets and ethnicity

Ethnicity	% Register 2017	% Lets 2016/17 (including CBL and direct offers)
Asian	14%	12%
Black	20%	18%
Chinese & Other	9%	8%
Arab	15%	15%
Mixed	4%	4%
Unknown/Withheld	13%	9%
White	25%	35%

5.2.10 Age

5.2.11 The table below illustrates there was a higher proportion of lets to young people (16-24) compared with their proportion on the register in 2017 and a significantly lower proportion to the 25-44 age group which is likely to be due to the shortage of family sized units and a more readily available supply of studios and one bedroom properties. The proportion of lets to older people was higher than their proportion on the register which is due to the available supply of community supported housing.

5.2.12 There was a higher proportion of lets to young people (16-24) compared with their proportion on the register and a significantly lower proportion to the 25-44 age group. This is likely to be due to the greater availability of studios and one bedroom properties and a shortage of family sized units.

Lets compared with need by age

Age	% Register 2017	% All lets 2016/17	% CBL lets 2016/17
16-24	5%	8%	6%
25-44	53%	45%	49%
45-64	32%	30%	31%
65-74	6%	10%	7%
75+	4%	7%	5%

5.2.13 Previous reports have noted that younger and older age groups make below average bids per let and this continued in 2016/17 as the above table shows reflecting that there is greater availability of community supportive housing for older people. In addition support is available for anyone not bidding and people are contacted by the Housing Options Service if not participating and can be offered automated bidding.

5.2.14 In conclusion and being mindful of the complexity of the housing allocations process where households often have to wait many years before successfully bidding for properties, the lower availability of family sized properties and the use of Choice Based Lettings to achieve the agreed target quotas, the above analysis shows that the Council's policies that impact the letting of social housing are in line with the profile that would be expected and thus there is no unlawful discrimination.

6. New Policy proposals

6.1 Intermediate Allocations Priorities

In order to enable current Intermediate Renting (IMR) tenants to move to more suitable IMR properties and to prioritise people living and working in Westminster for IMR, it is recommended that the priorities within the intermediate allocations policy are amended such that:

- 1) Existing Intermediate Renting (IMR) tenants in Westminster living currently in shared IMR accommodation into which the Council has nomination rights will be eligible to bid for self-contained IMR properties
- 2) Existing IMR tenants in Westminster who are living currently in shared IMR accommodation and are overcrowded will be eligible to bid for larger IMR accommodation
- 3) Westminster households who currently live and work in Westminster will have higher priority for intermediate housing opportunities in the City (IMR and Shared Ownership) over those that only live in the borough and work outside or only work in the borough.
- 4) The updated priority table, set out below is approved

Priority Group	Category	Priority Group Details
1	Social housing tenants in Westminster giving up their properties, which will result in their property being allocated to another household on the council's waiting list	First offer will be to social housing tenants, either council or registered provider ^(note1)
	Ministry of Defence (MOD) serving personnel	Second offer will be to MOD serving personnel ^(note 2)
	Sons and daughters of existing council tenants who are currently overcrowded	Third offer will be to sons and daughters of existing council tenants that are overcrowded in their Westminster City council home ^{note3}

	Certain households in Westminster intermediate rented properties	Fourth offer will be to tenants currently living in intermediate rented properties in Westminster that need to move because they are overcrowded, or they are moving on from into low cost home ownership or are living currently in shared IMR accommodation into which the Council has nomination rights ^{note 4}
2	Waiting List for social housing in Westminster	First offer will be to homeless households, where the council has a statutory duty to rehousing them Second offer will be to all other households on the waiting list
3	Resident workers	Households that have been resident in Westminster for at least 12 months and have been employed in Westminster for at least 12 months First offer will be to residents that are key workers ^(note5)
4	Westminster residents	Households that have been living in Westminster for at least 12 months
5	Working in Westminster	People employed in Westminster for at least 12 months First offer will be to key workers ^(note5)

Note 1: Register Provider tenants will only be prioritised within priority group 1 where their landlord confirms in writing that Westminster will have nomination rights to resultant void.

Note 2: Regular Service Personnel; Clinical Staff (excluding doctors/dentists); MoD Police Officer; Uniformed Staff in Defence, Fire Service; Full-time Reserve Service; Surviving Partner of Regular Service Personnel who died in service within the last 12 months; Service personnel that have successfully completed basic phase 1 training; Ex-Regular Service Personnel.

Note 3: Overcrowded applicants living in Council accommodation need to evidence their household is registered as overcrowded with Westminster's Housing Options Service

Note 4: Existing Intermediate tenants living in shared accommodation, can apply for a self-contained intermediate accommodation. For existing intermediate rented tenants wishing to apply for a larger intermediate homes, they will need written confirmation from their current social landlord that they are overcrowded.

Note 5: Westminster key workers are: NHS Health Service Clinical Staff (excluding doctors and dentists); Public Sector Teachers; Police; Social Care Workers (with a professional qualification only).

The equalities implications of the amendments have been considered through an Equalities Impact Assessment (copy within the background papers). With regards to the amendments to the IMR criteria, these are likely to benefit households with children as they provide greater opportunities for families to move to larger rented housing. Data is not available on all those it will impact and it is likely to only affect a small proportion of the c800 households in intermediate rented housing. It is also likely that the profile of those impacted will not differ from the overall profile of those registered for intermediate housing. The key point to note is that the 25 – 44 age group is significantly over represented compared to the overall Westminster population.

With regards to giving Westminster residents who are also working in Westminster enhanced priority, the equalities analysis found that the change would not have a significant impact on households with protected characteristics. . It might however have a marginal impact on Asian households, in that they will be less represented in the new Band of Resident Workers,(which has enhanced priority), than they would have been in the current banding. It might also have a marginal impact on White households, as they will be better represented in the new Band 3 (which has enhanced priority) of Resident Workers than they are in the current banding. In both cases these variations are less than 5%. . This change is considered justified as it helps to meet other council priorities which are to support employment in the city.

Intermediate Tenancy Renewals

- 5) It is recommended that IMR tenants who are living in a scheme which does not include a linked initiative leading onto home ownership (e.g. is not part of a savings plan such as that operated by Westminster Community Homes or the Westminster Home Ownership Accelerator operated by Dolphin Square Foundation) should be able to have their tenancy period renewed for a further period on the condition that the household continues to be eligible for intermediate housing in Westminster.

- 6) Households who are currently living in an Intermediate Scheme and do not have their tenancies renewed for that specific scheme due to the lettings policy of the particular landlord in question or as a condition of planning, but remain eligible for Intermediate Housing, are able to apply for alternative Intermediate Housing from 6 months before their tenancy is due to end. This would not apply for households whose tenancy was not being renewed for reasons of Anti-social behaviour or rent arrears. Households approaching the end of their original tenancy period and who remain eligible to have the tenancy extended are not able to bid for other intermediate rented properties.

6.2 Homeless Reduction Act

It is noted that the Homeless Reduction Act came into force from 3rd April 2018 and changes how the Council helps people or households who are or may become homeless. The Council has been working to put new arrangements in place for the new law. A summary of the Council's approach to the Act is set out in paragraph 5.2.1 below (and is available on the Council's website). A full review of homelessness is being carried out in order to inform a new Homelessness Strategy will be in place in 2019.

Following legal advice, amendments were made to the allocation scheme to take account of the changes made by the Homelessness Reduction Act

- 6.2.1 The new law focuses on preventing homelessness happening in the first place, and aims to reduce the need for people to go into emergency or temporary accommodation. It also aims to deliver better outcomes for single homeless people.
- 6.2.2 From 3 April 2018, any person or household who approaches the Council for help will receive support under the new rules if they are homeless or likely to become homeless in the next 56 days (unless a person's immigration status excludes them from receiving this service). In summary and subject to the application of the rules in the particular case, this will mean that:
- A household can ask for help up to 56 days before they may think that they will become homeless
 - The Council will support the household to prevent their homelessness, or help them find another home

- If a household is facing homelessness, the Council will work with them to develop a personal housing plan. This plan will set out steps needed by the Council and the affected household to prevent the loss of a home, and/or to help find another home. The plan will be developed taking account of all individual circumstances, is kept under review, and if a household is not working to it, then no further help may be provided.
- The right to request a review of the help provided is available

If homelessness cannot be prevented or another home found, generally only those in priority need who have not become homeless intentionally, will receive an offer of private rented accommodation or social housing from the Council's available housing stock. For those not in priority need, alternative practical support and advice will be offered and there are established housing pathways for vulnerable groups, supporting people into more independent accommodation including rough sleepers.

6.2.3 Housing Options Service

To support the above activities the Council is taking a new approach to its Homelessness Services to put preventing homelessness first, working with a range of agencies to provide a coordinated and personal response to people at risk of homelessness.

At the center of the new approach is a new partnership with Places for People who provide our homelessness services. They are supported by the charity Shelter - who provide outreach services with expert advice and assistance on early intervention and prevention, and the charity The Passage who deliver enhanced support for single homeless people.

Systems are also being put in place to identify households at particular risk of homelessness so help can be provided as soon as possible, and we are developing a website which is being developed that will signpost households to the services and support most likely to be helpful.

6.2.4 Homelessness Review and Strategy

To support this new approach the Council is developing a new Homelessness Strategy, consulting with residents and agencies to identify and discuss things that can be done to improve or extend our services. Officers are currently gathering evidence and information to inform the strategy by reviewing what the

current picture of homelessness in Westminster looks like, as well as identifying all the services provided by the Council and other agencies to support those affected by homelessness here. Based on the review findings to date an action plan will be published in the autumn 2018 pending a full consultation on our strategy. We are aiming to publish the full review and strategy in 2019.

6.3 Tenancy Strategy and Tenancy Policy: charging higher rents for higher earners

The Council's Tenancy Strategy, which was published in 2012, supports the principle of higher rents for higher earning social housing tenants and sets out some preferred principles for a scheme. The aim of the Tenancy Strategy is to set out the factors which registered providers should have regard to when developing tenancy policies for their own stock. The council's Tenancy Policy (originally published 2013) applies to its own stock and sets out details of a local scheme which introduces higher rents for flexible/fixed term tenants upon the expiry of their tenancy. The council has been offering flexible/fixed term tenancies to most new tenants since 2014 and there are now 1,053 flexible tenancies, and the first are due to expire in 2019. The scheme outlines that higher rents will be charged to these tenants, where the joint income of the tenant and their spouse or partner exceeds £66k for those living in properties up to two bedrooms and £80k for those living in larger properties. Rents would be increased to market rents, or where a market rent exceeds 40% of net income, it would be capped at 40% of net income.

- 6.3.1 It was acknowledged in both the Tenancy Strategy and Tenancy Policy that the sections relating to higher rents would need to be reviewed and updated, as at the time of their development government was planning to introduce a national Pay to Stay scheme for all social housing tenants. This national scheme, which differs from the one supported in the council's policies, is now voluntary.
- 6.3.2 It is recommended that the council does not introduce its local scheme in 2019 for flexible/fixed term tenants and removes the references to rent increases in Section 9 of its Tenancy Strategy and removes paragraphs 8.3 – 8.8 of its Tenancy Policy. The reason for this is that it is unlikely that many households would be impacted by the local scheme and it would be on the margins of breaking even. It is estimated that between 0.09% and 0.17% of the population is estimated to earn more than £60k so of the 170 flexible tenancies expiring in 2019, only one might trigger the higher rent and this potential income would need to be offset against the administrative costs of the scheme which are established to be £10.5k annually. Over time however more flexible tenants may be charged

higher rents as households have longer to increase their incomes. The reason for this is also that a full review of the Tenancy Strategy and Policy is planned, now the recently published Green Paper has highlighted that the government does not now propose to implement the provisions of the Housing and Planning Act 2015 to make fixed term tenancies mandatory for local authority tenants. These reviews will provide the opportunity to consider and consult on different approaches that might be taken in relation to social housing tenants with higher incomes and capital.

6.4 Local Lettings Plans: Infill Programme

The 2017/18 Supply and Allocations report set out how the Council has been assessing the potential to deliver housing on smaller sites in the City as part of the Infill Programme to provide new homes, promote work and support the local economy. To promote the benefits of potentially disruptive development to existing communities and to encourage local resident support it was agreed that for each new infill housing development a local lettings plan (LLP) is developed that prioritises meeting local housing need in line with the Council's Housing Allocations Policy.

It is recommended that approval of each Local Lettings Infill Scheme plan is delegated to the Director of Housing and Regeneration in consultation with the Cabinet Member.

When being developed, each plan will follow the key principles below:

- The extent of the boundary of the LLP are the streets within the estates directly affected by the development as defined on a case by case basis
- The LLP applies to both new social housing and intermediate housing
- The LLP is applicable to people who have lived within the boundary for 12 months
- First priority for the new social housing is to households registered with City West Homes for transfers from their current homes with properties then allocated in line with priorities within the Allocations Scheme
- Second priority for the new social housing is to anyone else on the Housing Register and this includes homeless households
- Where social housing properties remain unlet through the above, then they are allocated following the Allocations Scheme
- Any intermediate housing developed will be let in line with the current priorities for intermediate housing, although those who are working within the boundary who are not residents, will be excluded from the LLP

It is recommended that in consultation with the Cabinet Member for Housing, The Director of Housing and Regeneration has the delegated authority to use discretion when applying these principles to individual Local Lettings Plans and once developed the LLP will be shared through the local development newsletters.

6.5 Local Lettings Plans: Regeneration Areas

Local Lettings Plan will be required for all regeneration areas. It is recommended that approval of each Local Lettings Regeneration Area plan is delegated to the Director of Housing and Regeneration in consultation with the relevant Cabinet Member following consultation with the local community. When developing the LLP the following principles will be proposed:

- The boundary of the LLP is generally the master plan area but some flexibility can be applied on a site by site basis
- The LLP is applicable to people who have lived within the boundary for 12 months
- First priority for the new social housing will be for previous social housing tenants who had to move away to enable the regeneration scheme to take place and are now returning
- Second priority for the new social housing is for households whose homes are being demolished in later phases
- Third priority for the social housing will be for those registered with City West Homes for a transfer
- Fourth priority for the social housing will be for anyone else in the LLP area in line with the Allocations Scheme
- Any intermediate housing will be included and allocated in line with current priorities although those who are working within the boundary who are not residents, will be excluded from the LLP
- The LLP will also set out how homes for resident leaseholders who are returning to the area are to be allocated

It is recommended that in consultation with the Cabinet Member, The Director of Housing and Regeneration has the delegated authority to use discretion when applying these principles to individual Local Lettings Plans

- 6.5.1 In line with the above process it is thus recommended that a Local Lettings Plan will be developed for consultation for the new housing being developed at

Tollgate for consultation, with the Director of Housing approving the final LLP in consultation with the Cabinet Member

6.6 Review of the Homeless Policy Framework

6.6.1 Introduction and background

A suite of new homelessness policies were agreed in January 2017 and implemented from 30th January 2017. They were made up of:

- A Private Rented Sector Offers (PRSO) Policy – which sets out that the council may make homeless households the offer of a private rented tenancy rather than TA and then social housing
- An Accommodation Placement Policy – which prioritises homeless households for TA and PRSOs in three location Bands (Band 1 is Westminster and adjoining boroughs, Band 2 is Greater London and Band 3 is anywhere outside Greater London)
- An Accommodation Procurement Policy – which sets out the challenges in obtaining enough TA and PRSO properties to meet demand, and which are affordable to households (within benefit levels) and to the council (within TA subsidy levels). It includes an action plan to provide enough accommodation to meet demand and the principles the Council will follow when procuring private properties for TA and PRSOs. It was underpinned by independent research which indicated where properties may be available.

6.6.2 The policies set out that their impacts would be monitored and kept under review through the Supply and Allocations Report and also that a review of them would be completed after they had been in operation for one year and the findings reported to the Cabinet Member for Housing. The associated EIA also said that the one-year review would look at their impact on various groups, particularly with regard to out of London placements (i.e. those placed in Band 3). However, as can be seen from table on page 13, only 4 private rented sector offers were outside London, which is less than 5%, so full analysis of the impact of out of London placements cannot yet take place and this is ongoing work.

6.6.3 This section sets out the findings of a first year review and recommends as the outcome the changes to the Accommodation Procurement Policy attached.

6.6.4 **Aims of the policies and context**

Overall, the policies aim to reduce demand for TA and to help contain costs by offering homeless households a PRSO rather than them spending many years in TA waiting for social housing. They aim to also help improve outcomes for homeless households, by offering them more secure accommodation more quickly. They also aim to ensure those with the highest care and support needs remain as close to Westminster and London as possible and that sufficient private accommodation is procured to meet demand which is affordable to low income households and within allowable subsidy levels. The reasons for them centred around:

- Anticipated ongoing high levels of homelessness – due principally to the loss of private rented tenancies - due to rent levels being well above Local Housing Allowance rates and in view of the reduced overall benefit cap for non-working households
- The mismatch between the supply of social housing and demand for it, resulting in homeless households having long waits in temporary Accommodation (TA) often of up to 10 years
- The difficulty of procuring enough TA for low income households in Westminster and London which was affordable to the council (within subsidy levels) and to homeless households themselves (within benefit levels) in Westminster and London.
- Rising projected costs of TA.

6.6.5 **Review outcomes**

The following section summarises the outcomes of the review of each policy area

6.6.6 **PRSO Policy**

6.6.7 Seventy five successful PRSO's were completed between January 2017 – January 2018, the period of the one year review. The Housing Options Service (HOS) have considered 200 households for a PRSO, but the remainder were unsuitable when their circumstances when investigated in more detail. To put the outcome in context, there were 214 lets to homeless families (139 social and 75 PRSO's), so PRSOs made up 34% of comparative lets in the review period.

6.6.8 *Households offered PRSOs and the length of time homeless and location*

The majority (92%) of PRSOs were made to households accepted as homeless in the past year. This group was selected for the first year of the Policy, as their suitability for a PRSO, and associated location Band, could be assessed alongside their homeless application. Longer term, all households in TA will be formally assessed for their suitability for a PRSO and for their Band, although those close to being offered social housing are unlikely to be made one. The review found that more could be done however to offer properties in the areas where people are currently living in TA as there has been little link between this and the location of the PRSO offer, and consideration will be given to this in future. This approach would help families to retain their location connections and to improve customer response. With regards to location, less than 5% of placements were in Band 3 (further detail on these placements is on page 13).
only

Westminster, Or adjoining borough (Band 1)	Greater London (Band 1)	Outside Greater London (Band 3)	Total
18 (24%)	53 (71%)	4 (5%) x3 were in Surrey (Chertsey, Guildford, Staines), x1 in Berkshire (Reading)	75

6.6.9 Employment

The Accommodation Placement Policy aims that households are able to retain their employment and that PRSO offers are within a reasonable commuting distance from their work. The majority of PRSOs were made to working households (53%) which reflects proportions that are working in TA overall which is c. 50%.

6.6.10 Equalities analysis

Equalities analysis of the placements has been undertaken, but with only 75 PRSOs, meaningful analysis cannot yet be done and the equalities impacts of the policies will need to be considered on an ongoing basis.

6.6.11 The Accommodation Placement Policy

Overall, the Bands and their associated criteria have provided a good framework to prioritise households for accommodation in different locations. The criteria were developed with Adult's and Children's Services and the HOS has worked closely with them to place households in the relevant band – in line with their

care and support needs. Given the objective to help people maintain their work and the numbers of homeless households that are now working, the majority of households are being placed in Band 2 (Greater London) – and this will impact on where properties are procured.

6.6.12 The Accommodation Procurement Policy

6.6.13 Procurement has been challenging but officers have been able to focus activity in London and the South East, responding to the steer given by 2017 Cabinet Member report approving the policies that procurement in these areas should be prioritised. Evidence shows that private rents aren't rising and this is supported by officers experience of the market, therefore the independent evidence base is still considered robust.

6.6.14 Conclusions and recommendations

The Homeless Reduction Act has changed the legislative basis for the response to homelessness. However justification for the policies is still valid as there continues to be a mismatch between social housing and supply (with 4,000 households on the register, 2,500 in TA and 710 social lets predicted in 2018/19). TA costs are projected to cost the council £4.7m this year.

6.6.15 No changes to the PRSO and Accommodation Placement Policies are therefore proposed, and they are still considered to still provide a robust framework to meet their objectives. The following will help to improve delivery:

- Widening the numbers of households who can be offered a PRSO
- Targeting PRSO offers in locations where households are already living
- Speaking to households that have successfully moved and communicating any messages.

(These are alongside continuing to offer good quality properties, that are inspected before letting, have accompanied viewings and follow-up support and continuing to invest in Real Lettings and any other innovative schemes).

6.6.16 An updated Accommodation Procurement Policy is recommended (see Attached). Aside, from updating the annual Action Plan, which includes an updated target for making successful private rented sector offers during 2018/19, it is suggested that figures are updated, the reference to Universal Credit as a

key cost pressure for TA is removed and there are minor changes to some of the wording to better reflect market conditions.

6.7 Tenancy Strategy and Policy Update: Lifetime tenancies

- 6.7.1 In line with new legislation it is recommended that the Secure Tenancy section of the Tenancy Policy is updated to provide security of tenure to tenants who have had to move home as a result of domestic abuse.

It is thus recommended that the following paragraph is added to the Tenancy Policy:

Secure tenancies will be granted to:

Any existing secure or assured tenant, that has to move home due to domestic abuse. This would also apply to a sole tenant that had lost their security of tenure by leaving the home due to domestic abuse, or to a joint tenant, where security of tenure had been lost by the tenancy being terminated. In all these circumstances, the City Council would need to be satisfied that the domestic abuse had taken place

It also recommended that the Tenancy Strategy is updated to make clear that the Council supports lifetime tenancies in these circumstances.

7. Financial Implications

7.1 Housing Expenditure

- 7.1.1 The homelessness budgets are confirmed as follows:

2018/19 BASE BUDGET			
Service Area	Expenditure	Income	Total
Homelessness	7,914,677	-2,380,748	5,533,929
Temporary Accommodation	46,189,862	-41,522,369	4,667,493
Grand Total	54,104,539	-43,903,117	10,201,422

- 7.1.2 There are no direct financial implications arising from this report.

8. Legal Implications

- 8.1 The Council has a duty under the Housing Act 1996 (Part VII), as amended by the Homelessness Act 2002 to ensure that accommodation is made available for homeless applicants who are owed a full housing duty by the Council.

- 8.2 Where the council determines under the provisions of the Housing Act 1996 Part VII (as amended) that a person/household is eligible for assistance, homeless, in priority need and not homeless intentionally, it has a duty to secure suitable accommodation (unless it refers the applicant to another authority under the local connection provisions): s193(2), s206(1). The suitability of accommodation is governed by s210 of the 1996 Act, the Homelessness (Suitability of Accommodation) Order 1996 (SI 1996/3204) and by the Homelessness Code of Guidance for Local Authorities.
- 8.3 When discharging its housing duties under Part VII, the Council must, so far as reasonably practicable, secure that accommodation is available for the applicant's occupation in their own district: s208(1) of the 1996 Act.
- 8.4 The Localism Act 2011 allows the council to discharge its housing duty to statutory homeless households by offering a tenancy in the private rented sector. Any private rented sector offer must be suitable and must comply with the provisions of the Homelessness (Suitability of Accommodation) Order 1996.
- 8.5 The Council is also under a general duty, pursuant to s11 Children Act 2004, to have regard to the need to safeguard and promote the welfare of children within their area
- 8.6 The Council's homelessness policy framework implemented in January 2017 introduced a suite of new homelessness policies. The outcome of review of the policies and changes proposed are set out in the body of the report at 5.6.
- 8.7 The City Council is in the process of producing a new Homelessness Strategy following the introduction of the Homeless Reduction Act 2017 and an action plan is expected to be available in the autumn and the aim to publish the full review and strategy in 2019.
- 8.8 The Homelessness Reduction Act 2017 places a new duty on Local Authorities to intervene earlier to help prevent homelessness and take reasonable steps to relieve homelessness for all eligible applicants, not just those in priority need. A summary of the Council's approach to the Act is set out in the body of the report at 5.2. A review of the Council's Housing Allocation Policy was completed to ensure that it remains compliant with the new legislation, and on legal advice changes made to the allocation scheme.
- 8.9 In accordance with the newly enacted Secure Tenancies (Victims of Domestic Abuse) Act 2018 the Council is under a duty to provide security of tenure to tenants who have had to move home as a result of domestic abuse. The

Tenancy Policy and Tenancy Strategy is therefore required to be updated to ensure compliance with the new legislation

8.10 As a public authority, the council must take account of the provisions of the Human Rights Act 1998 and not act in a way which is incompatible with a Convention right. Under Article 8, any interference with the right to respect for a person's private and family life and home must be proportionate and Article 14 requires that there must be no unjustified discrimination within the scope of human rights on any grounds, such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, or other status.

8.11 The Equality Act 2010 introduced a public sector equality duty which requires the City Council when making decisions to have due regard to the need to

- eliminate discrimination, harassment, victimisation and any other conduct that is unlawful under the Equality Act 2010;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- and foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The City Council is required to act in accordance with the equality duty and have due regard to the duty when carrying out its functions.

Specific regard should be had by the decision maker to sections 4 and 5 above concerning equality implications and to the Equalities Impact Assessment, within the background papers to this report, on the amendments to the Intermediate Allocations Priorities.

9. Staffing Implications

9.1 There are none

10. Consultation

10.1 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 and the Housing Options Service Improvement Group.

**If you have any queries about this Report or wish to inspect any of the
Background Papers please contact:**

*Gregory Roberts, Head of Supply. Tel: 0207 641 2834. Email:
grobert2@westminster.gov.uk*

BACKGROUND PAPERS: Equality Impact Assessment

For completion by the **Cabinet Member for Housing and Customer Services**
Declaration of Interest

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

Signed: _____ Date: _____
NAME: **Councillor Andrew Smith, Cabinet Member for Housing and Customer Services**

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 recommendations in the report entitled **Supply and Allocation of Social Housing 2018/19** and reject any alternative options which are referred to but not recommended.

Signed

Councillor Andrew Smith, Cabinet Member for Housing and Customer Services

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:
.....
.....
.....
.....
.....

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 Director of Law, the City Treasurer and, if there are resources implications, the Director of People Services (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.

Appendix A

SUPPLY OF RENTED ACCOMMODATION PROJECTIONS 2018/19

Affordable Housing Supply	2018/19 Projection
Casual voids and returned from major works	314
Returned from conversion/rehab.	2
RP Stock	
First Let Nominations	93
Relet Nominations	203
Total Net Voids	612
WCC Stock	
Transfer (Existing WCC Tenants)	124
Less Decants for Major Works (-)	-26
Total Gross Voids	710

Appendix B

Supply of Rented Accommodation 2017/18 – projections by property size

Supply by bedsize - 2018/19	Studio	1	2	3	4+	Total
CWH Casual voids	76	141	59	33	5	314
Return from long-term works	0	1	1	0	0	2
RP First Let Nominations	0	4	18	18	5	45
RP Relet Nominations - Affordable Rent	3	38	18	1	0	60
RP Relet Nominations - Social Rent	16	74	40	12	1	143
Westminster Community Homes additional supply	0	8	9	8	0	25
CWH Infill schemes - Social Rent	0	4	10	9	0	23
Total Net Voids	95	270	155	81	11	612
WCC Transfers	37	52	24	8	3	124
Less Decants for major works	-4	-10	-2	-8	-2	-26
Total Supply	128	312	177	81	12	710

Appendix B1

Allocations projections of rented housing 2018/19 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.

Existing Tenants	Studio	1 Bed	2 Bed	3 Bed	4 Bed +	Total
Decants/Major Works including Returning Decants	1	2	1	1	0	5
Decants regeneration works	4	10	2	8	2	26
Cash incentives	3	20	9	1	0	33
Children Act Rehousing	0	0	0	1	0	1
Community Supportive Housing for the elderly	6	18	2	0	0	26
Overcrowded tenants	0	2	38	15	2	57
Studio to 1 bed	0	20	0	0	0	20
Category A	2	9	7	8	2	28
Management Transfers	3	12	3	3	0	21
SUB TOTAL (Tenant Transfers)	19	93	62	37	6	217
Waiting List						
Homeless (including community supportive housing)	41	130	101	36	5	313
Supported Housing move-on	15	12	0	0	0	27
Category A Medical	7	9	5	3	0	24
Community Supportive Housing (exc. homeless)	25	24	0	0	0	49
Working households	4	6	0	0	0	10
Assist Cash Incentive	1	6	0	0	0	7
Community Care Nominations	1	1	0	0	0	2
Children Act Rehousing	8	10	2	3	0	23
Second Succession	2	12	3	1	0	18
Staff Rehousing	0	1	0	0	0	1
Reciprocals	2	1	1	1	0	5
Statutory overcrowded	0	0	0	0	0	0
RP severe overcrowded	0	0	1	0	1	2
Veterans Nomination Scheme	0	2	0	0	0	2
Right to Move Scheme	1	2	1	0	0	4
Pan London Housing Moves (GLA scheme)	2	3	1	0	0	6
SUB TOTAL (Housing Register)	109	219	115	44	6	493
TOTAL TENANT TRANSFER/ HOUSING REG.	128	312	177	81	12	710

