

Midlothian Council Housing Allocation Policy Review 2023/24

Report by Kevin Anderson, Executive Director - Place

Report for Decision

1 Recommendations

- 1.1 It is recommended that Council approves the outcome results of the Housing Allocation Policy Review consultation with all Midlothian Council tenants, waiting list applicants, stakeholders and tenant groups during the Winter 2023 period as listed in Section 6 of the report.

2 Purpose of Report

- 2.1 As part of Midlothian Council's commitment to involving tenants and other service users in the management of housing services it undertook a planned consultation on the Housing Allocation Policy in January 2024. The previous Housing Allocation Policy was written in 2019 and required updating in order to reflect legislative changes, make best use of the housing stock and how our council housing properties are allocated.

Date: 28 February 2024

Report Contact: Kevin Anderson, Executive Director, Place

Tel No : 0131 271 3102

kevin.anderson@midlothian.gov.uk

3 Background

The Housing Allocation Policy was last revised in 2019 when it was agreed that Council will review the policy every two years. The bi-annual review process and consultation opportunities were disrupted due to the pandemic.

Scottish Government guidance requires that houses are let in a way that gives reasonable preference to those in greatest housing need, which makes best use of the available stock and helps to sustain communities. It is important for every social landlord to have an allocation policy that complies with all relevant legislation and statutory guidance whilst also reflecting local housing needs.

The legislative and regulatory framework for the allocation of social rented sector homes has evolved over time, including through the Housing (Scotland) Act 1987, the Housing (Scotland) Act 2001 and the Housing (Scotland) Act 2014. This Allocation Policy must comply with the homelessness rules set out in Part II of the 1987 Act (as amended by the 2001 Act and the Homelessness etc. (Scotland) Act 2003).

Midlothian Council, as a landlord, has a duty to make and publish rules covering priority of allocation of houses, transfers and exchanges (section 21 of the 1987 Act, as amended by section 155 of the Leasehold Reform, Housing and Urban Development Act 1993 and the 2001 Act). This allocation policy must set out clearly how Midlothian Council will decide on priority for housing.

4 Legislative Requirements

Legislation dictates that a Housing Allocation Policy must give reasonable preference to the undernoted circumstances:

- Homeless persons and persons threatened with homelessness.
- People living under unsatisfactory housing conditions.
- Under-occupying social housing tenants

Landlords can decide on the priority it wishes to give to those in each of these reasonable preference groups.

5 Housing Allocation Policy Review Consultation

The Housing (Scotland) Act 2014 requires landlords to consult with:

- Applicants on the housing list
- Tenants
- Registered Tenant Organisations

In January 2024 Midlothian Council officers consulted on the Policy using the following methods:

- A survey sought the views of tenants, housing applicants and stakeholders. The survey could be completed online, via a link on the council's social media pages or respondents could request a paper copy.
- A series of eight public drop-in information events were held in libraries across Midlothian.

The consultation ran from Monday 8 January to Wednesday 31 January 2024. 319 surveys were completed and 20 people attended the public drop-in sessions. The survey results are illustrated within the appended consultation report which includes the original questions and accompanying information provided.

6 Recommendations in the results rates received from the consultation are:

- **Retention of group and points system**
It is recommended to maintain the current system.
- **Online Housing Application and portal**
It is recommended to implement with overwhelming 94% support
- **Combining letting areas**
It is recommended by 83% to align with the community council boundaries
- **Letting targets**
It is recommended to retain current letting percentages
- **Homeless waiting time**
It is recommended to start homeless waiting time points from the date of homelessness.
- **It is recommended to Increase points values as:**
 - (a) Safety points 100 – to support Harassment and Domestic Abuse
 - (b) Downsizing by two bedrooms - 250 points
 - (c) Introduce Notice to Quit from private landlord points – 30 points
- **Dedicated points for specialist supported groups.**
It is recommended to implement specific points to National Housing Project and Housing First
- **Mutual Exchange**
It is recommended to consider offering a choice of supports, such as support to physically move home and quicker incentive payment process.

- **Local Letting Initiative for New Builds**
 (a) It is recommended to prioritise Midlothian Council tenants, and merge Tiers 1 and 2, supported by 75%.
 (b) Housing Associations applicants to remain in Tier 3, according to 65% of respondents.
- **Suspension of Applications**
 It is recommended to review the suspension policy in line with legislation
- **Participation groups**
 It is recommended to contact the 72 respondents interested in joining a local group for further engagement activity opportunities..

7 Report Implications (Resource, Digital and Risk)

7.1 Resource

There are no resource implications arising directly from this report.

7.2 Digital

There are no digital implications.

7.3 Risk

There is a risk to the Council if there is no regular review process that the Housing Allocation Policy does not comply with legislation or guidance from the Scottish Housing Regulator.

7.4 Ensuring Equalities (if required a separate IIA must be completed)

Equality is central to all housing and housing services delivery. An Integrated Impact Assessment (IIA) has been undertaken on the Local Housing Strategy 2021-26 to ensure that the needs of local communities have been fully considered. The SHIP reflects identified needs and draws on findings from the IIA when considering the implications flowing from the translation of strategic aims into housing policies.

7.5 Additional Report Implications (See Appendix A)

See Appendix A

Appendices

Appendix A - Additional Report Implications

Appendix B – Allocation Policy Consultation Report 2024

APPENDIX A – Report Implications

A.1 Key Priorities within the Single Midlothian Plan

The themes addressed in this report impact on the delivery of the Single Midlothian Plan outcome particularly in terms of priorities in relation to the delivery of affordable housing, homelessness and health and social care outcomes through the provision of specialist housing.

A.2 Key Drivers for Change

Key drivers addressed in this report:

- ☐ Holistic Working
- ☐ Hub and Spoke
- ☐ Modern
- ☒ Sustainable
- ☐ Transformational
- ☒ Preventative
- ☒ Asset-based
- ☒ Continuous Improvement
- ☐ One size fits one
- ☐ None of the above

A.3 Key Delivery Streams

Key delivery streams addressed in this report:

- ☐ One Council Working with you, for you
- ☒ Preventative and Sustainable
- ☐ Efficient and Modern
- ☐ Innovative and Ambitious
- ☐ None of the above

A.4 Delivering Best Value

We manage all aspects of our business so that tenants and other customers receive services that provide value for money in the rent and other charges they pay.

A.5 Involving Communities and Other Stakeholders

A full consultation was available to Midlothian Council tenants and waiting list applicants. Stakeholders will be informed of outcomes at the regular Local Housing Strategy Forum meetings.

A.6 Impact on Performance and Outcomes

The Policy review supports key objectives to accurately assess housing need so Midlothian Council officers can then let vacant properties to those with the greatest assessed need.

A.7 Adopting a Preventative Approach

The Housing Allocation Policy provides a clear framework for prioritising applicants based on housing need and the reasonable preference criteria, which is set out in legislation. Regular monitoring and review is important to ensuring the Housing Allocation Policy makes best use of housing stock to meet housing need.

A.8 Supporting Sustainable Development

Good practice in relation to energy efficiency and sustainability is contained in the SHIP and Local Housing Strategy 2021/22 – 2025/26.

Background Papers:

[Midlothian Housing Allocation Policy 2022](#)