

House Letting Policy

Report by John Blair, Director, Resources

1 Purpose of Report

The purpose of this report is to bring to the Cabinet's attention, recommendations from the Performance Review and Scrutiny Committee in relation to House Letting Policy

2 Background

- 2.1** On 8 January 2013, the Council approved a Housing Allocation Policy based on a Group and Points model.
- 2.2** On 5 June 2013, the Performance Review and Scrutiny Committee gave consideration to the performance report in respect of Housing and Community Safety for 2012/13. The Committee elicited that under the revised policy, an applicant for housing who was not the primary carer of children was not able to apply for housing in a two bedroom property and that any applicant in this position was automatically deemed to be eligible to apply for a one bedroom property only.

The Committee were of the view that such applicants were, in effect, prevented access to their children by virtue of the fact that the children could not reside with them as they were restricted to living in a one bedroom property. Accordingly, the Committee agreed to recommend to Cabinet, as follows:-

"That the element of the current House Letting Policy, which prevents a single parent from applying for a two bedroom property unless the applicant was the "primary carer" of children, be reviewed with a view to allowing such applications."

3 Report Implications

3.1 Resource

It would pose difficulties in determining that the allocation of appropriately sized housing for applicants if these were amended for households with non- earned income, as that is discriminatory practice, and would be problematic where circumstances change and employed households or applicants became unemployed and were allocated a different house size to their defined needs.

Any permanent member of the household who is temporarily absent is still included in the household for the purposes of assessing the size requirements. Same sex children share until aged 16 years.
Different sex children share until aged 10 years.

3.2 Risk

The principal risks are around the issue of rental income affected from tenants allocated properties which are under occupied and the rent recovery impacts on affordability, and income stream ensuring that the investment in new build and the existing stock can be made without having to impose unacceptable increases on weekly rents for any resulting shortfall.

3.3 Single Midlothian Plan and Business Transformation

Themes addressed in this report:

- ☐ Community safety
- ☒ Adult health, care and housing
- ☐ Getting it right for every Midlothian child
- ☐ Improving opportunities in Midlothian
- ☐ Sustainable growth
- ☐ Business transformation and Best Value
- ☐ None of the above

3.4 Impact on Performance and Outcomes

The core aim in the revised Allocation Policy is to offer applicants to Midlothian Council flexibility in the type and location of housing they wish to apply for. The application process includes advice about housing prospects so that applicants can make realistic choices.

The policy is based on a clear framework for prioritising applicants based on housing need and the reasonable preference criteria set out in legislation and aim to provide affordable, quality housing for people in need. The Council's Allocation Policy has been reviewed in order to better reflect the needs and demands in Midlothian, and also take account of the Welfare Reforms introduced in April, 2013.

3.5 Adopting a Preventative Approach

Applicants are only offered the size of property their household needs. When deciding between applicants with the same number of points, priority will be given to the applicant whose household will make the best use of the number of bedrooms the property has.

3.6 Involving Communities and Other Stakeholders

In developing the Housing Allocation Policy there has been internal consultation with service stakeholders, including Social Work Adult Care, Children & Families and Legal and Audit services in relation to this report. External consultation has also been carried out with the Registered Tenant Groups and Registered Social Landlords in Midlothian, the Housing Association Forum, tenancy support agencies, Midlothian Disability Access Panel, Shelter and the Armed Forces Covenant Liaison Officer.

3.7 Ensuring Equalities

The revised Housing Allocation Policy has been subject to a full Equality Impact Assessment in accordance with the Council's Equalities Schemes to ensure equality of opportunity.

Implementation of the policy will help to ensure that discriminatory practices and procedures are eliminated and that the needs of women, ethnic minorities, people with disabilities and other target groups are assessed.

The duties required of local authorities when letting their houses are set out in the Housing (Scotland) Act 1987 and the Housing (Scotland) Act 2001.

3.8 Supporting Sustainable Development

Not Applicable

3.9 IT Issues

Not Applicable

4 Recommendation

The Cabinet is invited to consider the recommendation of the Performance Review and Scrutiny Committee

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Background Papers:

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I confirm that I have undertaken the following actions before submitting this report to the Council Secretariat (Check boxes to confirm):-

- ☐ *All resource implications have been addressed. Any financial and HR implications have been approved by the Head of Finance and Human Resources.*
- ☐ *All risk implications have been addressed.*
- ☐ *All other report implications have been addressed.*
- ☐ *My Director has endorsed the report for submission to the Council Secretariat.*

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Likewise, please advise the Council Secretariat if any report for Midlothian Council has an education interest. The Religious Representatives are currently entitled to attend meetings of the Council in a non-voting observer capacity, but with the right to speak (but not vote) on any education matter under consideration, subject always to observing the authority of the Chair.