

# Southend-on-Sea Borough Council

**Agenda  
Item No.**

## **Report of Corporate Director for People**

**to  
Cabinet**

**on**

**15 March 2016**

Report prepared by: Sharon Houlden  
Head of Adult Services and Housing

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### **Local Connection Housing Policy**

**People Scrutiny Committee  
Executive Councillor: Councillor David Norman  
Part 1 (Public Agenda Item)**

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#### **1. Purpose of Report**

- 1.1 At Full Council on 10<sup>th</sup> January the following Motion was tabled:

“We call on the Council to review and amend the 3 year local entitlement for social housing rule to 7 years in line with Basildon District Council's policy who have adopted this entitlement for the last 5 years and have had no challenges. With an ever increasing local housing need we feel this is the time to review and change the policy/rule”.

- 1.2 This Report considers the implications associated with this proposal.

#### **2. Recommendations**

- 2.1 That Members adopt option 3 as outlined in the summary options appraisal below.

#### **3. Background**

- 3.1 The Council has a statutory duty to adopt and publish a Housing Allocation Policy which must ensure that it takes into account the requirements of the Housing Act 1996 (as amended and extended by the Homelessness Act 2002 and Localism Act 2011). This includes giving ‘reasonable preference’ to certain groups of people prescribed by The Act, such as those who are homeless or living in overcrowded conditions. These are often referred to as people in housing need. The Policy must also adhere to its Equalities duties.
- 3.2 In April 2013, Council agreed a new Allocations Policy, which took account of new powers and duties introduced through Localism to close the register to all but those in greatest housing need. One of the many changes to the policy was amending residency connection from 6 of the last 12 months, to 3 of the last 5 years.

3.3 However, should an applicant not be resident in the borough, they may still qualify as having a local connection on one of 9 other grounds. The full local connection criteria as listed in Section 4 of the SBC Allocations Policy is set out below:

- Applicants work in Southend borough for 16 hours or more per week and have done so for 12 months prior to application. Verification of substantive employment will be required at point of application and point of offer.
- Applicant volunteers in the borough and has done so for at least 12 months. Please see glossary for the policy definition of a volunteer.
- **Applicants are normally resident in Southend borough. Normally resident will typically be continuously for the past 3 years, or 3 of the last 5 years and must be in settled accommodation.**
- Applicants have family members who are resident in the Southend borough. Family members are defined as parents, adult children or brothers or sisters who have been resident in the Southend borough for a period of 5 years or longer.
- Current secure Southend-on-Sea Borough Council tenants
- The applicant is a member of the Armed Forces and former Service personnel, where their application is made within five years of discharge
- The applicant is a bereaved spouse or civil partner of a member of the Armed Forces leaving Service Family Accommodation following the death of their spouse or partner
- The applicant is a serving member or former member of the Reserve Forces who needs to move because of a serious injury, medical condition or disability sustained as a result of their service
- Applicants accepted as statutory homeless by Southend Borough Council under s193 (2) Part VII of the Housing Act (1996), as amended by the Homelessness Act (2002) and Localism Act (2011).
- There are exceptional circumstances which the Council considers give rise to a local connection. Applications will be considered on an individual basis.

3.4 It should be noted that the 3 armed forces local connection criteria arise from *The Allocation of Housing (Qualification Criteria for Armed Forces Personnel)(England) 2012* which requires that 'A local housing authority must not apply residency requirements to armed forces personnel'(including the associated groups). These regulations arose from the government wishing to recognise that there is a requirement for movement within service, making it difficult for armed forces personnel to establish links with a particular area.

3.5 In December 2015, 39 Offers of accommodation were made through the council's Allocations Scheme: Choice Based Lettings (CBL). All offers went to applicants with a local connection, as defined by our Allocations Policy. Of these 82% had a local connection on the grounds of (3 year) residency and 78% had been resident for at least 5 years.

## 4. Other Options

4.1 Option 3 below is recommended to Members as a means of addressing changes in local housing need in the round.

- 4.2 Option 1: Continue with the existing 3 year Residency criteria. Impact: We continue to ensure a local connection is in place before applicants are accepted on to the Housing Register. We are not required to engage in a consultation exercise. By keeping the length of term of the Residency Qualification the same as at present, we do not reduce the numbers of people currently accessing the Housing Register.
- 4.3 Option 2: Initiate a consultation process on a proposal to extend the length of term of the residency qualification to 5 years or over. Impact: We continue to ensure a local connection is in place before applicants are accepted on to the Housing Register. We conduct a consultation exercise with the wider community, applicants, tenants, and partner agencies, solely in relation to the length of term of residency qualification.
- 4.4 Option 3: Initiate a consultation process on a proposed review of the Council's Allocation Policy, not restricted to consideration of residency alone, but including a proposal to extend the length of term of the residency qualification to 5 years or over. Impact: This would allow time to consider elements of the Housing and Planning Bill that might influence the Council's decision in relation to housing allocations going forward. We would only be required to conduct one consultation exercise to cover any proposed changes to the Council's Allocation Policy. This gives the potential of reducing the numbers of people accessing the Housing Register at some point in the future.

## **5. Corporate Implications**

- 5.1 There is a legal requirement for the Council to consult with the wider community and with applicants, tenants, and partner agencies before introducing changes to the Housing Allocation Policy.

## **6. Contribution to Council's Vision & Corporate Priorities**

- 6.1 The Council's Allocation Policy helps to meet the Council's Corporate Priority to enable well-planned quality housing and developments that meet the needs of Southend's residents.
- 6.2 Financial Implications
- 6.3 Legal Implications
- 6.4 People Implications
- 6.5 Property Implications
- 6.6 Consultation

There is a legal requirement to undertake consultation on any proposed changes to the Council's Allocation Policy.

- 6.7 Equalities and Diversity Implications

To be completed as part of any consultation process.

6.8 Risk Assessment

6.9 Value for Money

There is no significant value for money implications arising from this Report.

6.10 Community Safety Implications

There are no community safety implications arising from this Report.

6.11 Environmental Impact

**7. Background Papers**

Council's Allocation Policy  
Housing Acts  
Equalities Act  
Housing Codes of Guidance  
Housing and Planning Bill