

ANGUS COUNCIL

Housing Committee - 22 April 2004

HOUSING ALLOCATION POLICY -
COMMUNITY-BASED LETTINGS PLANS FOR 2004/2005

REPORT by DIRECTOR OF HOUSING

ABSTRACT

This report reiterates the historic context behind the creation of Community Based Lettings Plans (CBLP's), outlines the reviews of active plans and details proposed plans for 2004/2005 in relation to the seven housing management areas.

1. RECOMMENDATION

It is recommended members:-

- (i) note the review of Community Based Lettings Plans carried out,
- (ii) agree the attached proposed Community Based Lettings Plans be activated forthwith for the 2004/05 year.

2. BACKGROUND

Community Based Lettings Plans (CBLP's) are a recognised part on the Councils housing allocation policy. Activated as part of the new policy in 2002, they review local needs and requirements and reflect what is sensible, achievable, realistic and defensible in terms of each local housing management area.

Reference is made to R244/01 (to the 20 February, 2001 Housing Committee) whereby Council adopted a new Housing Allocations Policy. Also to R213/02 (to 19 February 2002 Housing Committee) when Council:-

- noted the significant factors (e.g. statutory requirements via the Housing (Scotland) Act 2001) impacting on the allocation of council housing,
- approved the finalised new Allocation Policy, and
- approved individual CBLP recommendations for each of the seven burgh/areas.

Reference is also made to R198/03 (to the 18 February, 2003 Housing Committee) when it was agreed that the then active CBLP's be carried forward to serve the 2003/04 year.

3. REVIEW

As outlined in R198/03, the CBLP's were prepared to specify how local priorities will be met over a specified period of time and that the next review would be carried out for the 2004/05 financial year.

Factors influencing CBLP's include:-

- the difficulty predicting demand and turnover in future years,
- the fact that waiting lists are totally inclusive,
- the changing emphasis on "transfer or aspirational" cases,

- locally high numbers of homelessness applications and length of stay in temporary accommodation,
- activity via other local providers (e.g. Housing Associations) and liaison/nomination arrangements with them,
- that CBLP`s were introduced for the first time from the 2002/03 financial year - it being intended that these be reviewed annually and recognising that full maturity would take four to five years,
- the likelihood early years CBLP`s will be “output or solution” based with subsequent years based on growing solid evidence of supply and demand using the experiences gained,
- the creation and manning up of the Special Needs Section structure. This being of particularly importance regarding homelessness services in bringing supervision of temporary accommodation, decision-making on homelessness cases and associated allocations to a local office level therefore being more responsive to needs and local availability. This necessarily has to embrace “new” funding being ring-fenced for such issues under the Housing (Scotland) Act 2001 and other subsequent legislative measures.

A review of the CBLP`s has been undertaken (in terms of bullet point 6 above). This covered analysis of:-

- turnover, allocations made and waiting lists etc. statistical information available since the new allocations system was introduced,
- experience gained consequent to CBLP`s being implemented in 2002 and the impact the plans had on local activity,
- strategic decisions taken regarding the likes of Queen`s Park, Brechin, Clifftown, Arbroath and Gallowshade area, Forfar,
- the influence of the Allocations Policy (especially upon transfer/aspirational type cases),
- learning curve on using the new computerised allocation module,
- provision etc. via other registered social landlords,
- provision/stability in the owner-occupied sector,
- regular and on-going Right to Buy sales during the years to date etc.

4. PROPOSED CBLP`S FOR 2004/05

The active CBLP`s for each of the 7 local housing management areas have been reviewed for the 2004/05 year. The attached plans give due regard to local circumstances and demonstrate fairness, transparency and accountability.

CBLP recommendations for 2004/05 are detailed in the attached appendices:-

[Appendix A](#) for Arbroath and surrounding area.

[Appendix B](#) for Brechin and surrounding area.

[Appendix C](#) for Carnoustie and surrounding area.

[Appendix D](#) for Forfar and surrounding area.

[Appendix E](#) for Kirriemuir and surrounding area.

[Appendix F](#) for Montrose and surrounding area.

[Appendix G](#) for Monifieth and surrounding area.

[Appendix H](#) relates to the main Housing (Scotland) Act 2001 implications.

5. PUBLICITY

Publicity for CBLP`s will be by way of:-

- leaflet availability on the individual CBLP`s,
- new applicants being given a copy of the relevant CBLP,
- locally given advice and assistance will reflect the variations within the individual plans and how they may affect the applicants request,
- references to CBLP`s within the main Housefacts Leaflet (TA1) “A Guide to the Allocation of Council Housing in Angus”.

6. FINANCIAL IMPLICATIONS

There are no financial implications arising directly from this report.

7. HUMAN RIGHTS IMPLICATIONS

The following Articles of the European Convention on Human Rights are relevant in this report:-

- Article 1 of the first protocol, i.e. Protection of Property. This Article relates to the peaceful enjoyment of property and possessions. Angus Council is allowed to interfere with this right if it is in the public interests and subject to the conditions provided for by law.
- Article 8, i.e. Right to Respect for Private and Family Life. This Article relates to a person’s right to family life, his home and correspondence. Angus Council is entitled to interfere with this right in accordance with the Law and as is necessary in a democratic society in the interests of the economic well-being of the country or for the protection of the rights and freedoms of others.
- Article 14, i.e. Prohibition of Discrimination. This Article states that a person has a right to enjoy the Convention’s rights without discriminating on any ground. Angus Council must act in a manner which is non-discriminatory.

The legal basis for the action proposed by the Council is in terms of Section 21 of the Housing (Scotland) Act 1987 (as amended).

Any action taken by Angus Council must be proportionate, i.e. there should be as little intervention as possible to achieve the Council’s desired aims. It is considered that the recommendations in this report meet this requirement because there is a duty in terms of Section 21 of the 1987 Act to produce rules for admission to Housing lists, there is a legitimate aim in implementing a priority Allocations list and the Allocations Policy is not discriminatory. In taking such action, the Council would not be acting in any way which is incompatible with Human Rights.

8. CONSULTATION

The Chief Executive, Director of Finance, and Director of Law & Administration have been consulted on this report.

9. CONCLUSION

Experience in operating the new allocations system allied to the introduction of CBLP's and the computerised allocations module, is increasing.

The attached proposed plans for 2004/05 reflect what is considered sensible, achievable, realistic and defensible.

It is therefore recommended that the seven CBLP's attached be adopted for implementation during the 2004/05 financial year.

Ron Ashton
Director of Housing

Note:- The following background papers, as defined by Section 50d of the Local Government (Scotland) Act 1973, (other than any containing confidential or exempt information), were relied upon to any material extent in preparing this report.

- Report 244/01 - "Housing Allocations Policy"
- Report 213/02 - "Housing Allocation Policy - Community-Based Lettings Plans"
- Report 198/03 - "Housing Allocation Policy – Community Based Lettings Plans"