

14 October 2015		ITEM: 13 01104418
Cabinet		
Right to Move		
Wards and communities affected: All	Key Decision: Key	
Report of: Councillor Lyn Worrall, Cabinet Member for Housing		
Accountable Head of Service: Dermot Moloney, Strategic Lead, Housing		
Accountable Director: David Bull, Director of Planning, Transportation and Housing		
This report is Public		

Executive Summary

On 20th April 2015 new statutory rules called the “Right to Move” come into force.

The new rules affect who can be offered a Council property

Previously in order to qualify for Thurrock’s Housing Waiting list a person had to have a local connection of 5 years with the borough. This can be achieved through residence, employment or family connections.

The new requirements mean that Thurrock Council cannot disqualify someone from joining their housing register on the grounds of no local connection where they meet certain criteria.

However, the Council can restrict the number of properties allocated under the new rules to an agreed annual quota – the recommended quota is at least 1% of relets.

On 17th June 2015 Housing Overview and Scrutiny Committee recommended that Cabinet agree the annual quota be set at 1% of the preceding years housing allocations. Currently this would represent 6 properties per year.

The Committee also recommended that officers seek mutual exchanges for those who meet the Right to Move requirements where possible in order to mitigate the impact on Council stock for Thurrock residents.

A further report outlining the impact of the recommendations should be reviewed by Housing Overview and Scrutiny committee in January 2016.

1. Recommendation(s)

1.1 That the new “Right to Move” regulations be noted.

1.2 Cabinet approve the annual quota of properties to be allocated under the new provisions be set at 1% of all Council housing allocations for the preceding year (1st April to 31st March) with the provision that officers endeavour to seek mutual exchanges, where possible, to mitigate the impact on levels of Thurrock Council housing stock.

2. Introduction and Background

2.1 Thurrock Council implemented a new housing allocations scheme in May 2013. In order to qualify for housing applicants are required to have a local connection to the borough of 5 years. This can be achieved through residence, employment, local connection or some other “special reason”

2.2 On 20th April 2015 new statutory rules called the “Right to Move” came into force

2.3 The new requirements mean that Thurrock Council cannot disqualify someone from joining their housing register on the grounds of no local connection where they meet the following criteria:

- The person is already a social housing tenant (Council or Registered Provider tenant) in another borough in England
AND
- They have a need to move to Thurrock to avoid hardship
AND
- They need to move to Thurrock because they either already work in Thurrock
OR
They need to take up an offer of work in Thurrock.

2.4 “Work” includes apprenticeships but not voluntary work

2.5 The other qualifying criteria for the Housing Waiting list will still apply i.e. Financial and Behaviour criteria so a person could still be disqualified on these grounds

2.6 Where a person does qualify under the new Right to Move rules they will also be awarded a priority (Band 3) because they meet the reasonable preference criteria i.e. need to move to avoid hardship

2.7 Local Authorities may restrict the number of allocations made under the Right to Move rules and the government recommendation is an annual quota of 1%

- 2.8 Applicants will still need to make an online application
- 2.9 Applicants will not qualify for working household properties unless they meet the additional criteria i.e. in permanent employment for at least the past 12 months and that employment is for at least 16 hours per week
- 2.10 Applicants will still be subject to the usual rules regarding rent arrears i.e. they will not be allocated a property unless the arrears to their current landlord are cleared
- 2.11 The Housing allocations scheme will be updated with the new provisions

3. Issues, Options and Analysis of Options

- 3.1 The Council has a statutory duty to implement the new rules but has discretion over the quota of properties to be allocated
- 3.2 The government recommendation is a quota of at least 1% of properties available to relet
- 3.3 Once the quota has been reached no further properties would be let under these provisions until the following year
- 3.4 In order to determine the 1% quota the previous year's total relets would be calculated
- 3.5 In 2014-15 the total number of relets in Thurrock was 631

Therefore if the 1% quota is used – 6 properties would be available for reletting under these new provisions

4. Reasons for Recommendation

- 4.1 The Right to Move regulations have already come into force and need to be recognised within the Council's allocations scheme
- 4.2 The quota of properties to be allocated under the rules needs to be determined.

5. Consultation (including Overview and Scrutiny, if applicable)

- 5.1 Not applicable

6. Impact on corporate policies, priorities, performance and community impact

- 6.1 The new provisions will enable people to move to the borough in order to take up employment which will help to achieve the corporate priority:

“Encourage and promote job creation and economic prosperity”

7. Implications

7.1 Financial

Implications verified by: **Jo Freeman**
Finance Officer

There will be an increase in administration costs in order to implement the new processes and monitor and assess appropriate cases. The DCLG has awarded the Council extra funding of £3,044 in 2015-16 in order to meet these costs and this has already been received into the Authority

7.2 Legal

Implications verified by: **Alison Stuart**
Principal Solicitor, Housing & Regeneration

The Council has a statutory duty to implement the new provisions and will be required to amend its Housing allocations scheme in order to allocate properties legally

7.3 Diversity and Equality

Implications verified by: **Teresa Evans**
Equalities and Cohesion Officer

The new provisions will have a positive impact on working households by allowing preferential treatment where they meet the criteria; however the number of allocations will be restricted to an annual quote of 1% of total lettings, which will not prove an onerous or disproportionate benefit

7.4 Other implications (where significant) – i.e. Staff, Health, Sustainability, Crime and Disorder)

None

8. Background papers used in preparing the report (including their location on the Council’s website or identification whether any are exempt or protected by copyright):

None

9. Appendices to the report

- Appendix 1 – Extract from minutes of Housing Overview and Scrutiny Committee meeting on 17 June 2015

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