

Report of:	Head of Housing and Waste Management
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Portfolio Leader:	Leader of the Council; Housing; and Health and Wellbeing
Key Decision:	No
Report Track:	Cabinet: 17/07/14

CABINET
17 JULY, 2014
SUSTAINABLE COMMUNITIES ACT – REQUEST FOR SUPPORT

1 Purpose of Report

- 1.1 To consider a request for support from Durham County Council regarding a proposal to amend the implementation of the social sector size criteria, submitted to the Government under the Sustainable Communities Act.

2 Recommendations

- 2.1 That Cabinet consider supporting the proposal from Durham County Council to amend the implementation of the social sector size criteria which they have submitted to the Government under the Sustainable Communities Act.

3 Key Issues and Reasons for Recommendation

- 3.1 Durham County Council have requested the Council's support for a proposal they have submitted under the Sustainable Communities Act. A copy of the letter sent on their behalf is attached as Appendix 1.
- 3.2 The proposal seeks to amend the implementation of the social sector size criteria (termed the "under-occupation penalty in the letter) by allowing social housing providers and tenants time to respond to the changes in housing benefit.

3.3 Specifically, the proposal states that:-

“For a period of two years, where suitable accommodation is not available tenants liable to the under-occupation penalty should be exempted, until suitable accommodation can be found for them, in order to allow registered providers time to implement adjustments and strategies necessary to find/create accommodation.”

3.4 Details of the measures adopted by the Council to mitigate the effects of the social sector size criteria are outlined in Section 5 of the report.

3.5 Cabinet are requested to consider supporting the proposal from Durham County Council.

4 Relationship to Corporate Priorities

4.1 The social sector size criteria has implications for the following service aims which form part of the Housing Portfolio Section of the agreed 2014-15 “Place” Priority Delivery Plan:-

- (i) Manage the Council’s housing stock
- (ii) Support vulnerable households to live independently in their own homes.

5 Report Detail

5.1 the Leader of the Council has received a letter on behalf of Durham County Council requesting the Council’s support for a proposal they have submitted under the Sustainable Communities Act. A copy of the letter is attached as Appendix 1.

5.2 The proposal seeks to amend the implementation of the social sector size criteria (termed the “under-occupation penalty” within the letter) by allowing social housing providers and tenants time to respond to the changes in housing benefit.

5.3 Specifically, the proposal states that:-

“For a period of two years, where suitable alternative accommodation is not available, tenants liable to the under-occupation penalty should be exempted, until suitable alternative accommodation can be found for them, in order to allow registered providers time to implement adjustments and strategies necessary to find/create alternative accommodation”.

- 5.4 Cabinet on 19 September, 2013 agreed a number of measures to mitigate the effects of the social sector size criteria on social housing tenants. These measures include:-
- (i) Allowing tenants with rent arrears who meet certain criteria to move to a smaller property
 - (ii) Making discretionary housing payments to social housing tenants who are affected by the social sector size criteria and have registered for a transfer to smaller accommodation.
- 5.5 One bedroom dwellings comprise a substantial proportion (40.5%) of the Council's housing stock. The Council are therefore "better placed" than many other social landlords in being able to offer a transfer to tenants affected by the social sector size criteria to one of its 1,292 one bedroom bungalow or 843 one bedroom flats.
- 5.6 The Council's ability to assist tenants who wish to move to smaller accommodation is however; dependent upon properties becoming vacant and the "two year exemption" proposed by Durham County Council would be beneficial.

6 Implications

6.1 Financial

There are no direct financial implications for the Council as a result of this report. Any implications arising from a change in Government policy will be the subject of a further report.

6.2 Legal

None.

6.3 Human Resources

None

6.4 Section 17 (Crime Prevention)

None

6.5 Human Rights Act

None

6.6 Data Protection

None

6.7 Risk Management

None

6.8 Equality & Diversity

None

6.9 Best Value

None

7 Appendices to the Report

Appendix 1

Letter from "Local Works" on behalf of Durham
County Council

Previous Consideration

Social Sector Size Criteria Cabinet

19 September, 2013

Background Papers



Councillor Adamson
Cannock Chase District Council
383 Huntington Terrace Road
CANNOCK WS11 5HX

Thursday 8th May 2014

Dear Councillor Adamson

I am writing on behalf of Durham County Council to ask for your council's support for a proposal they intend to submit under the Sustainable Communities Act on 12th May.

In Durham County there has been a significant increase of people presenting to the Housing Solutions service due to financial difficulties. The loss of employment or benefits due to recent *welfare reforms* is affecting households' abilities to remain in or to afford housing.

In 2013, 5,387 social housing tenants in Durham needed to move to a one bed property due to the under-occupation penalty, however only 937 one bedroom properties were available. At this rate it would take *nearly six years* for these people to be able to move. Ultimately, this has a negative impact on people's lives and communities which in turn can lead to a rise in anti-social behavior and crime.

Durham's proposal aims to improve the under-occupancy penalty scheme by allowing providers, communities and individuals time to respond to the fundamental systems changes which are occurring.

Specifically, the proposal is that,

"For a period of two years, where suitable alternative accommodation is not available, tenants liable to the under-occupation penalty should be exempted, until suitable alternative accommodation can be found for them, in order to allow registered providers time to implement adjustments and strategies necessary to find/create alternative accommodation."

If you wish to support this proposal, all that is required at this stage is confirmation of this and I will have Durham add your council's name to the list of supportive councils. My email is steve@localworks.org if you wish to contact me that way.

Upon submission the government have six months to give a response but they can make a decision at any time therefore the sooner you can let me know whether you are supportive the better. Thank you.

Yours sincerely

Stephen Shaw
National Co-ordinator