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Social Housing Policy Team

Department for Communities

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Ref: A Fundamental Review of Social Housing

To Whom it May Concern

Mid Ulster District Council would like to take this opportunity to put forward views, opinions and concerns in relation to the 'Fundamental Review of Social Housing' consultation. Council understands that the desired outcome of the process would be to achieve the following five outcomes:

- A greater range of solutions to meet housing need;
- An improved system for the most, vulnerable applicants
- A more accurate waiting list that reflects current housing circumstances;
- Those in greatest housing need receive priority, with recognition of their time in need; and
- Better use of public resources by ensuring the list moves smoothly.

While these proposed outcomes seem ambitious to achieve, Council is broadly supportive of the NIHE's overall aim of improving the current process in order to achieve better outcomes for landlords, tenants and applicants particularly those who

are vulnerable. Responses to the consultations questions relevant to Mid Ulster District Council area are examined in Appendix A.

Nevertheless within the context of providing comment on areas of improvement required within the current system it would be remiss of Mid Ulster District Council not to inform this consultation of the wider context into which these proposals are being introduced. Mid Ulster District Council has invested substantial time and resources over the last three years, working in partnership other statutory and non- statutory agencies, to develop a Community Plan for Mid Ulster. A considerable part of this process involved large scale consultation with the people of Mid Ulster. Within this consultation process the issue of affordable and social housing provision was a key strategic issue identified.

Whilst the allocation of housing is a central element in addressing many of these themes it is difficult to consider it in isolation from other key areas, particularly the supply of social housing provision and the issue of housing affordability. Both of these are critical issues for Mid Ulster District Council area. The District has one of the highest levels of social housing need and this is reflected in the level of social housing stress list and homelessness; this is partly due to the rental values for the area which are higher than across the rest of the region. The reason for much of the homelessness in Mid Ulster is attributed to housing cost. Alongside this is the importance of housing and community to the people of Mid Ulster. These issues were identified as key during that consultation that occurred during the community planning process. There is also a strong community pride across the District and this is again central within the community plan. These discussions on housing allocation were flagged for key consideration during the community plan process.

It is recognised that the provision of strong communities takes account of a range of issues from mixed community housing in terms of seeking to ensure housing areas are open to everyone, but also a mix of tenure, and a mix of family and other unit sizes. Currently there are over 6 of the strategic actions related to housing and the need for

an adequate social housing structure to provide for good health and wellbeing, vibrant and safe communities and Infrastructure. The following strategic actions identified within Council's Community Plan:

- Provide an adequate supply of social and affordable 'homes-for-life' and Supported Living through Area Plan policy and direct public provision
- Promote and provide for mixed community housing developments
- Introduce rent controls to ensure housing is affordable
- A community benefits 'planning gain' requirement in the Local Development Plan
- Support the development of strong and vibrant communities
- Implement an Investment Programme targeting the '20% most deprived' areas in Mid Ulster.
- A Task Force to address poverty locally and deal with the future impacts of Welfare Reform
- Health and Wellbeing and Social and Economic outcomes
- Programme For Government

A unique issue for Mid Ulster is the number of new migrant communities that have chosen to come to work and live in the area. This target audience are mainly rental and this has resulted in the number of properties for rent lessening and therefore resulting in rents beyond the regional average. It has also resulted in families and people having to co share housing. The number of Houses of Multiple Occupancy (HMO) properties registered in Mid Ulster District Council area is recorded as 90, however the actual number is likely to be very different. This creates a real issue for enforcing the legislation for those responsible many tenants will not state they are in multiple occupancy accommodation in poor conditions as the alternative is often street homelessness. This has created a further situation where the landlord in some situations is taking advantage of the situation for economic gain.

The voluntary registration of landlords has not sought to alleviate the concerns of poor housing conditions. Landlord registration for the Mid Ulster District Council area is 5,589 properties linked to 3,616 registered Landlords. The stock of housing in the private rental sector is estimated to be higher for Mid Ulster when compared to the NI average.

The high level of rent in this District has sought to drive up the level of child poverty in the area. From 2005 until recently areas across Mid Ulster District Council have had high levels of child poverty in comparison to other areas Households Below Average Income (HBAI) statistics. This has been attributed to lower than average incomes, higher than average rents and therefore lower disposable income. It is therefore an outcome that people will seek to co-share to provide for their families, many often living with non-relatives.

With regard to the social housing provision it is recognised that the providers of social and affordable housing struggle to compete to purchase land, as the current land value is again higher than the NI average in areas, with particular reference to Dungannon where the social housing need is extremely high. Council is seeking to work alongside associations, Northern Ireland Housing Executive (NIHE) and Department for Communities (DFC) through community planning to seek to identify potential land, through existing asset base, area planning and flexible solutions including one off unit purchases in areas where people want to live, and also seek to ensure associations work together and do not compete for land using the public purse. Other issues that Council is seeking to do within its remit is to ensure a timely turnaround of planning applications, to seek to ensure that planning gain of adequate green space is provided in housing, that current green space is not used as the 'quick fix' and create longer term problems in relation to safe and vibrant communities and neighbourhoods. Evidence would show where our social housing provision has been well planned with good space and green space provision then there are less social issues in the longer term.

In summary the allocation of housing needs to be flexible to community planning areas and needs detailed discussion within this forum alongside other major housing policy areas. To look at these issues in isolation may create a situation where it impacts on other key areas of community planning including the health and wellbeing of people.

If we do not address the issues of housing provision and affordability the allocation of housing will become more difficult. In line with the community planning ethos it is important that local solutions are sought and implemented e.g. Mid Ulster are sought for policy implementation. A one regional fit does not work for many social issues such as housing. Proposals as per the Community Plan and in line with housing allocation for consideration:

1. Equality, central principle across the community plan
2. Health and Wellbeing Poverty
3. Vibrant and Safe Communities

Mid Ulster District Council would urge DFC and NIHE to consider the following areas in relation to any the implementation of reviewing social housing allocations:

### **Explore Local Community Planning Solutions**

The people of Mid Ulster in need are the first priority for Council. With bilateral thinking DFC and NIHE could explore and develop local solutions to unique situations. Addressing the issues in this way would support the mechanism of community planning, however the community planning approach cannot be looked at in isolation. It is critical to address these issues correctly to get the right solutions and to meet the wider issues linked to social housing need and appropriate allocation processes.

### **Mixed Tenure Housing Schemes**

Greater support could be provided for private developer schemes. Housing Associations and Co-ownership bodies should be encouraged to work together with

government in order to provide a coordinated approach to identify assets that can accommodate housing provision. Targets for the provision of social housing need to be set annually and then an update provided. The current plan provides the need each year and the target numbers which roll over each year to subsequent years and just leaves the gap between demand and supply growing.

The social mix in provision and allocation is also important and should allow for vibrant and safe communities, where family connections are also considered. An area that is not used as much and should link to any proposed allocation is latent demand testing. Many people will complete forms and state their preference of location based on where they know the housing is going to be and not where their family are located or where they would choose to live. This often can create further social issues relating to child care and family support and isolation. This needs to include for rural provision in areas and settlements where small hamlet type (clachan) provision could be provided.

### **Mixed Housing Type both in Provision and Allocation**

It is important that targets are set to support mixed housing type development, or areas will be left with apartment (flats) overload, with no provision for choice. This will impact on families, people with disabilities and others. It is important that such targets take account of long term sustainability of areas and lifetime homes, supported by eco-friendly provision. The health and wellbeing of people and families is important. Housing is one of the basic hierarchy of needs for people. The provision of suitable homes for people is critical to all elements of wellbeing. Families should have adequate space for children to grow and develop in all areas of life. This is similar in the allocation of housing to people who are separated and have children again the family unit and tie with both parents is valuable to the wellbeing of the child. It is the central principle of community planning where the wider integrated impact of one policy has on another and on resources and cost.

### **Maximize Use of Existing Government Assets**

It is important as part of community planning that all government agencies do seek to play a role in addressing social housing provision for the Mid Ulster District Council area. As previously stated people working together to identify assets, flexible solutions, integrated working through associations, private sector and public to meet the ever increasing demand for social housing in Mid Ulster. At present government departments are reviewing their asset estate, the coordination of this as part of the wider community planning ethos is important. It is recognised that income to organisations through asset sale is important however not if they are going to have to resource the outcomes of areas that are not being addressed.

### **Landlord Regulation and tenancy deposit scheme**

From 25<sup>th</sup> February 2014 all private landlords must register immediately prior to the letting of a new tenancy, or where there is an existing tenancy, within 12 months. Registration will last for three years at the end of which there is a requirement to re-register. Online registration costs £70 and paper registration costs £80. From 1<sup>st</sup> April 2013 a tenancy deposit scheme has required that deposits paid on or after this date by tenants in the private rented sector must be protected by the landlord in an approved deposit scheme. Private rented property is defined as a property that is not owned by the NIHE or a registered housing association.

### **NI Audit Office Homelessness in Northern Ireland Report**

Council is also aware of the recent publication by the NI Audit Office in relation to the homelessness in Northern Ireland. The report points out that the level of homelessness is increasing year on year and representations of homelessness in NI is significantly higher when compared to England, Scotland and Wales. The report suggests that the current points based system can be directly linked to these figures and recommends actions to address and alleviate current issues within the Common Selection Scheme system. Council would encourage DFC and NIHE to act on these recommendations in order to alter the current system to achieve more positive housing outcomes for people presenting as homeless.

### **Mid Ulster District Council Local Development Plan (LDP)**



Council is working on the preparation of their new Local Development Plan for the district. The preparatory work for the draft Plan Strategy is currently under way. One of the objectives of the plan will be to “to provide for 11,000 new homes by 2030 in a range of housing capable of meeting the needs of families, the elderly and disabled, and single people, at locations accessible to community services, leisure and recreational facilities, for those people with and without a car”.

In relation to affordable/social housing the Strategic Planning Policy Statement (SPPS) for Northern Ireland states that the Housing Needs Assessment/Housing Market Area undertaken by the Northern Ireland Housing Executive, or the relevant housing authority, will identify the range of specific housing needs, including social/affordable housing requirements. The development plan process will be the primary vehicle to facilitate any identified need by zoning land or by indicating, through key site requirements, where a proportion of a site may be required for social/affordable housing. This will not preclude other sites coming forward through the development management process.

There has been ongoing consultation with NIHE in the development plan preparatory work and they have indicated a social housing need in Mid Ulster for the period 2015-2020 as being at 538 units. The consultation has revealed that the area referred to as Dungannon 1 has the largest and most immediate need and engagement with NIHE will continue to understand how this need can be addressed where necessary in the Plan Strategy for the district.

It is also the intention of the new LDP to include a planning policy requirement that in residential developments of 50 units or more or on site of 2 hectares and over that social housing should be provided at a rate of not less than 25% of the total number of units. Council welcomes the engagement that has taken place to date with NIHE and encourage further engagement to ensure that the new LDP is tailored to the needs of the district in relation to social housing.



Finally, Council would like it to be noted that the proposed social housing allocation changes require further consideration by both DFI and NIHE. Council would like to reiterate that while a 'one size fits all approach' can address some issues, finding local solutions to local problems can lead to longer term solutions. As such Council would encourage DFI and NIHE to introduce an element of flexibility and local informed decision making in relation to the allocation of housing. Council would also encourage that a clear and transparent system is developed in order to address the issues within the current process. Applicants and tenants should also be provided with clear information on how the processes work and how they can go about appealing and/or challenging decisions made in relation to them.

Yours sincerely

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## **Appendix A-Consultation Question Responses**

1. An independent, tenure-neutral housing advice service for Northern Ireland.

- People should receive high-quality, tailored, tenure-neutral advice in a way which respects their dignity and confidentiality.

### **Response to Question 1:**

**Mid Ulster District Council agrees with the above statement. However Council would encourage locally informed decision making and bespoke solutions for issues that arise locally.**

2. An applicant who has been involved in unacceptable behaviour should not be eligible for social housing or Full Duty homelessness status unless there is reason to believe – at the time the application is considered – that the unacceptable behaviour is likely to cease.

- There should be a focus on good housing management, sustainable tenancies and a deterrent against serious anti-social behaviour

3. NIHE may treat a person as ineligible for Full Duty homelessness status on the basis of their unacceptable behaviour at any time before allocating that person a social home.

- This proposal should also ensure good housing management and aim to reduce nuisance to tenants; striking a better balance between excluding people from the waiting list and prioritising vulnerable groups.

### **Response to Questions 2&3:**

**Mid Ulster District Council agrees that people engaged in unacceptable behaviour should be penalised within that process. However Council would encourage that behaviours linked to mental health problem such as addictions are dealt with appropriately and that support is sought from the relevant statutory bodies to address the underlying reasons/cause of what NIHE deems to be ‘unacceptable behaviour’. Tenants should also be made fully aware of**

**that repeated instances of unacceptable behaviour will result in removal from the property.**

**If a legislative change is to be introduced in relation to the excluding people from waiting lists and ensuring better housing management, Council would strongly urge that the processes in relation to the placement of people who are placed on the sex offenders register be re-examined. This should be to ensure that the scope is provided for appropriate placement of people who are placed on the sex offenders register to be allocated houses. The current process lacks in flexibility and fails to recognise that children frequently gather in places other than Education Authority owned property, such as community youth club, sporting facilities, leisure centres and day-care providers. NIHE has a duty to ensure that their policies and practices in relation to where people sex offenders register are housed doesn't put children and vulnerable people at potential risk of harm.**

**4. NIHE can meet their duty to homeless applicants on a tenure-neutral basis, provided that the accommodation meets certain conditions**

- This proposal should ensure a greater range of ways in which the NIHE can meet its duty to homeless applicants and increase the options for meeting applicants' housing need.**

#### **Response to Question 4:**

**As detailed in the main body of this response (Page 7, paragraph 2) NI Audit Office (NIAO) report on homelessness in NI provides a number of suggestions as to how NIHE can provide a strategic way forward to reduce the number of homeless applicants and therefore allow NIHE to be able to meet accommodation needs of the most vulnerable people who are considered to be homeless. Council would encourage NIHE to strongly consider the recommendations put forward by NIAO in order to improve services for homeless people and ultimately reduce the number of people for whom housing stress results in homelessness.**

**5. A greater choice of areas for all applicants for a social home.**

- All applicants should be able to choose as many (or as few) housing areas as they wish to maximise the likelihood of receiving an offer of a home they can accept.

**Response to Question 5:**

**This seems to be a reasonable suggestion and could be monitored to ensure that it has the desired effect of maximising the likelihood of receiving an offer of a home they can accept.**

**6. Greater use of a mutual exchange service.**

- Existing social tenants looking for a transfer should ordinarily also be considered for a mutual exchange service.

**Response to Question 6:**

**This seems to be a reasonable suggestion if a demand has been identified or it is proven that there is current under utilisation of this service currently.**

**7. The removal of intimidation points from the Selection Scheme**

- This would not affect the urgent help for those experiencing intimidation. Where a person is in danger the NIHE would remove them from that danger and offer alternative accommodation on an emergency basis.
- This should recognise the housing need of intimidated households in a fairer and more proportionate way.

**Response to Question 7:**

**Mid Ulster District Council would not support the complete removal of intimidation points from the Selection Scheme and the suggestion of doing so is of grave concern to Council. Council would suggest that any tenant or household subject to danger as a result of intimidation has a right to be assessed for a reallocation of housing. This should apply to all housing association houses as well as sheltered accommodation and all NIHE**

properties. Council would however suggest that this system should in fact be broadened to ensure that points are awarded for a range of situations that require immediate action. These situations could potentially include:

- Domestic Violence
- Harassment
- Acts of God (such as fire and flood)

Council would suggest that in the experience of member's, intimidation linked to paramilitaries is cited as a reason for needing to be moved when in reality the individual or family is being harassed generally and feels under threat generally. However because this type of general/non-political issue is not recognised by the points system therefore tenants report the reason for needing to move is intimidation. This issue would be eradicated should the current system be made broader to include instances other than paramilitary intimidation that leads to tenants not being able to remain in their current housing circumstances.

**8. Points should reflect current circumstances for all applicants.**

- This should make the scheme fairer and more transparent to applicants as they know they will be assessed on their current circumstances. It should also maintain a focus on prioritising current housing needs.

#### **Response to Question 8:**

Council would agree that the current circumstances of an applicant should be reflected in the number of points they possess. However reducing points for applicants who are considered to be vulnerable should be avoided.

**9. The removal of Interim Accommodation points from the Selection Scheme**

This proposal aims to:

- Provide more equal treatment of applicants in similar circumstances;
- Ensure a more accurate waiting list that reflects current housing circumstances; and

- Ensure those in greatest need receive priority.

**Response to Question 9:**

**Council would agree that applicants who are most in need should receive priority housing allocation.**

**10.** The Selection Scheme should place applicants into bands based on similar levels of need to meet longstanding housing need more effectively

- Applicants should be assessed and points awarded, just as they are in the Selection Scheme at present. The points should then be used to place applicants in bands, alongside others with similar levels of need.

**Response to Question 10:**

**Again Council would point out that a one-size fits all approach does not address the needs of all communities. The introduction of a banding system limits the possibility of elements of flexibility within a selection system. The proposed process could cause issues in terms of people who are allocated a different banding but who are only separated by a few points. Council would propose that a better system of allocation could be to provide a more frequent allocation of points to recognise the length of time that people have been waiting. While it is recognised that this could encourage some people to stay on the list for an extended time in order to get the type of house or location they would prefer. However NIHE have a responsibility to develop and apply mechanisms and processes that are not easily susceptible to manipulation and exploitation.**

**Any banding system that is introduced should be suitably transparent in order to enable vulnerable applicants and their carers to be able to identify key contributors to addressing vulnerability in areas where high levels of social**

**need exists. As such, Council would encourage further consultation be to be carried out in relation to this proposal.**

**11.** The Selection Scheme Rules should always align the number of bedrooms a household is assessed to need with the size criteria for eligible Housing Benefit customers.

- Aligning the Selection Scheme with Housing Benefit should ensure a consistent approach, avoid confusion for applicants and enable good housing management.

**Response to Question 11:**

**Council would support this proposal should the housing stock exist to facilitate it. There is currently a shortage of housing stock, particularly two bedroom homes and bungalows. Therefore this change may disproportionately disadvantage applicants who require smaller homes. Also Council would strongly discourage the allocation of larger homes of family homes to people who require a one or two bedroomed home.**

**12** For difficult-to-let properties: Social landlords should be able to make multiple offers to as many applicants as they think necessary.

- The number of applicants contacted should be the number the landlord thinks is most likely to secure an allocation.

**13.** For difficult-to-let properties: Social landlords should be able to use choice-based letting.

- Landlords must ensure that enough support is given to applicants to enable them to express an interest.

**14.** For difficult-to-let properties: Social landlords should be able to go direct to multiple offers if they have evidence that a property will be difficult to let.

- Such evidence would mainly come from previous similar properties being difficult to let.



#### **Response to Questions 12, 13 &14:**

**There are a number of social landlords who are responsible and compliant within the private rented sector. However, within the system there is the potential for exploitation of particularly vulnerable groups. It is imperative that procedural controls are implemented in order to ensure that the most vulnerable members of society are not exploited or taken advantage of.**

**Also it should be recognised that the cost of private rented accommodation makes it out of reach for many families and individuals. Therefore Council would recommend that social landlords rents are capped. This will also lead to protection of communities where housing is in high demand. These areas can be significantly negatively impacted upon when families are left with no option but to seek accommodation in other areas which are cheaper and demand isn't as high.**

**15. An applicant may receive two reasonable offers of accommodation.**

- This proposal reduces the number of offers of accommodation from 3 to 2.**
- If the two offers are refused, no further offers will be made for one year after the date of the last refusal.**

#### **Response to Question 15:**

**Again Council would point out that a one-size fits all approach rarely meets the needs of everyone. While this reduction in choice may be appropriate in some instances a persons or families' individual circumstances may make this reduction unreasonable. Therefore Council would recommend that this proposal should not be implemented. Council would also question if there is anything to be gained by amending the current situation which would require changes within the current system and may cause confusion for applicants who have been on the list for some time and are therefore familiar with the current procedures.**

**16** Social landlords may withdraw an offer of accommodation in specified circumstances.

- This change is required to deal with a very specific, limited number of circumstances.

**17.** Social landlords may withhold consent for a policy succession or assignment to a general needs social home in limited circumstances where there is evidence an applicant needs it.

- There should be a focus on good housing management and better use of public resources by enabling social landlords to make more effective use of general needs stock.

**18.** Social landlords may withhold consent for a policy succession or assignment of adapted accommodation or purpose built wheelchair standard accommodation where there is evidence an applicant needs it.

- This proposal should ensure that the most effective use is made of existing adapted stock, and that waiting times for applicants requiring adapted accommodation are reduced.

#### **Response for Questions 16, 17&18:**

**Similar controls to those in place for NIHE and housing associations properties should also be implanted for all Social landlords in the interest of equality of provision and protection of the individual tenant.**

**19.** Updating the Selection Scheme to bring it in line with developments in Public Protection

Arrangements Northern Ireland.

- The NIHE requested this change to bring the Selection Scheme in line with recent developments in legislation to enable social landlords to make restrictions to applicants (or a member of their household) who have been convicted or charged with a violent offence.

**Response to Question 19:**

**Council accepts that NIHE is required to meet the demands of legislation in relation to Public Protection.**

**20. Specialised properties should be allocated by a separate process outside the Selection Scheme.**

- Specialised accommodation should go to those who need it most. A review should be established to put a more effective allocation process in place for applicants needing specialised property such as sheltered dwellings / wheelchair standard accommodation.

**Response to Question 20:**

**Council would agree that wherever possible homes that are sheltered dwellings or that are fully accessible are allocated to people who have needs that require these types of properties. Council would recommend that there is a significant increase in the levels of homes adapted to be made accessible for people with a disability and an increase in the provision of sheltered housing. With an ageing population the demand for properties will only increase, therefore available stock should be future-proofed for the estimated demand in the next 5-10years.**