

REPORT TO CABINET

Open		Would any decisions proposed :			
Any especially affected Wards	Discretionary	Be entirely within Cabinet's powers to decide		Yes	
		Need to be recommendations to Council		no	
		Is it a Key Decision		Yes	
Lead Member: Cllr Alex Kemp E-mail: <i>cllr.alex.kemp@west-norfolk.gov.uk</i>			Other Cabinet Members consulted:		
			Other Members consulted:		
Lead Officer: Nikki Patton E-mail: <i>Nikki.patton@west-norfolk.gov.uk</i> Direct Dial: 01553616726			Other Officers consulted: Alexa Baker, Assistant Director for Legal & Licensing (Monitoring Officer)		
Financial Implications No	Policy/ Personnel Implications YES	Statutory Implications YES	Equal Impact Assessment YES Full Assessment	Risk Management Implications No	Environmental Considerations Yes

Date of meeting: 27th June 2023

LOCAL AUTHORITY HOUSING FUND – LETTINGS

Summary

This report provides information on the allocation of properties delivered via the Local Authority Housing Fund, a programme established by the Department for Levelling Up, Housing and Communities (DLUHC) to support Local Authorities to acquire homes to accommodate households with housing needs who have arrived in the UK via Ukrainian and Afghan resettlement and relocation schemes.

On the 8th February 2023 Cabinet resolved to accept the grant funding offered by DLUHC and agreed to the principles of allocation properties delivered under the fund, to deliver 14 homes for Ukrainian households and 2 larger properties for Afghan households. It was proposed to Cabinet that a further report on the allocation of the properties would be presented separately.

The purpose of the report is to seek endorsement of the approach set out in this report on the allocation of properties delivered via LAHF and to update the Cabinet on this area as agreed at Cabinet on the 8th February 2023. The report also provides a brief update in relation to the decision from West Norfolk Housing Company to work with the Council to deliver the properties via the fund and recent announcements from government of additional LAHF funding.

Recommendation

That Cabinet endorse the approach set out in this report on the allocation of properties delivered via Local Authority Housing Fund

Reason for Decision

To ensure that properties delivered via the Local Authority Housing Fund to deliver affordable housing in the borough will be allocated in accordance with the criteria of the fund and to those in the greatest housing need in a timely way.

1 Background

- 1.1 The Department for Levelling Up, Housing and Communities announced the Local Authority Housing Fund in December 2022. The funding is designed to support selected local authorities to obtain and refurbish (where necessary) property in order to provide sustainable housing for those unable to secure their own accommodation who are here under the following schemes:
- Afghan Citizen Resettlement Scheme (ACRS),
 - Afghan Relocations and Assistance Policy (ARAP),
 - Ukraine Family Scheme,
 - Homes for Ukraine and the
 - Ukraine Extension Scheme
- 1.2 The fund will ensure these schemes that offer sanctuary to those fleeing conflict provide sufficient longer-term accommodation to those they support and support areas with housing pressures which have welcomed substantial numbers of Ukrainian refugees so that these areas are not disadvantaged by increased pressures from these arrivals on the existing housing and homelessness systems particularly as sponsorship/family placements/bridging accommodation arrangements come to an end.
- 1.3 The fund will also enable effective resettlement and economic integration of the eligible households and deliver accommodation which can be used to support wider local authority housing and homelessness responsibilities to UK nationals after usage by these households.
- 1.4 Cabinet resolved on 8th February 2023 to accept £1,719,141 of grant funding allocated by DLUHC to deliver 16 affordable homes via West Norfolk Housing Company .14 homes for Ukrainian Households who have arrived via one of the schemes set out in paragraph 1.1 above and who are homeless and to deliver 4+ bed homes to be allocated to households on the Afghan schemes by 30th November 2023.
- 1.5 The Council subsequently entered into a Memorandum of Understanding with DLUHC on 13th March 2023 to accept funding. The first tranche of £515,742 has been received with the remainder due to be received before the end of July 2023.

- 1.6 The properties will be delivered in partnership with West Norfolk Housing Company, the Council's wholly owned Registered Provider of Social Housing. West Norfolk Housing Company will provide match funding up to the affordable housing value of the homes. This may be through debt financing from the Council.
- 1.7 Financial modelling to date suggests that depending on the type and location of homes acquired, which will depend on availability, there may be a modest need for additional funding on top of the grant funding and match funding from West Norfolk Housing Company. It is anticipated that this additional funding would be provided through S106 affordable housing contributions held by the Council.
- 1.8 Allocation of properties**
The fund prospectus does not prescribe how the properties should be allocated and states that it is for Local Authorities to determine how to deliver and manage the fund. The accommodation delivered via the fund must increase the housing available to those outlined in para 1.1 above.
- 1.9 In addition to the eligibility criteria above, the local authority should make reasonable endeavors to prioritise households based on who is most in need when matching eligible households with properties. Beyond this, local authorities may use any lawful route that allows them to deliver this fund to cater for the needs of their area. They may wish to use the same assessment and prioritisation process as for mainstream social housing stock.
- 1.10 Some examples of options (as set out in the funding prospectus) for matching eligible households to properties include:
- Using, amending or putting in place a Local Lettings Policy to allow homes to be allocated by local authorities, or nominated to housing associations, to eligible applicants of a particular description. This is allowed under the Housing Act 1996 (section 166A(6)(b))
 - Letting accommodation through a local authority owned housing company.
- 1.11 Housing authorities are required by the Housing Act 1996 s166A (as amended by the Homelessness Act (1996) and the Localism Act (2011)) to have an allocation scheme for determining the priorities and defining the procedures to be followed in allocating affordable housing accommodation.

- 1.12 Households eligible for homes provided through the scheme are those on the schemes listed in paragraph 1.1 who are homeless, at risk of homelessness or who live in unsuitable temporary accommodation (including bridging accommodation). In order to meet the funding eligibility criteria and ensure homes are allocated to those in greatest housing need it is proposed that the homes are allocated in accordance with the existing Allocations Policy and via a Lettings Plan (**Appendix A**). As per the existing Allocations Policy any letting plan must receive approval from West Norfolk Homechoice Panel. The panel consists of representatives from the Borough Council and Housing Associations partners.
- 1.13 The provision of a Lettings Plan is contained within the Allocations Policy. Under the Housing Act 1996 (section 166A(6)(b)) a Lettings Policy allows homes to be allocated by local authorities, or nominated to housing associations, to eligible applicants of a particular description.
- 1.14 The Councils Allocation Policy sets who can access the housing register and how affordable accommodation is allocated in the Borough. The proposed Lettings Plan for both groups Ukrainian and Afghanistan properties will be directly let rather than advertised via Homechoice the Councils Choice Based Lettings (CBL) scheme.
- 1.15 For the 14 homes to be allocated to Ukrainian households priority will be determined in the normal way ie using reasonable preference grounds as set out in the Councils Allocation Policy and in accordance with Housing Act 1996. All households who meet the criteria set out in para 1.1 above, will be required to join the Councils Housing Register. Households will then be prioritised based on their banding and relevant date on the housing register in line with normal allocations.
- 1.16 For Afghanistan households all eligible households will be identified in partnership with Norfolk County Council's Person's From Abroad Team who will liaise directly with the Home Office to identify households in Bridging Accommodation. Prospective nominees will still be required to apply to the Housing Register and supply all relevant documentation

2 Tenancy

- 2.1 Homes delivered through the LAHF fund will be affordable housing. There is no definitive scheme end date, the government have asked Local Authorities to assess this at a local level. It is proposed that an initial review will be undertaken after 2 years. What is important to understand is that the housing remains affordable in perpetuity and becomes part of the wider social housing stock once no longer required

by the eligible households. The properties will be delivered via West Norfolk Housing Company in partnership with Broadland Housing Association. In the main tenancies will be granted by BHA, with the exception of when swaps occur (see below para 3.4). Tenancies could be either assured (lifetime) tenancies or fixed term tenancies.

- 2.2 Eligible Ukrainian households have been granted 3-year visas and have limited leave to remain. They have full recourse to public funds and are eligible for housing assistance for the duration of their visas. However, if their visa is not renewed at the end of the 3 years, they may fall out of eligibility and lose the Right to Rent. Therefore, landlords may offer fixed term tenancies to these households to reflect their immigration status.
- 2.3 This approach applies to all households with limited leave to remain nominated through the housing register, regardless of whether the nomination is linked to the Local Authority Housing Fund.
- 2.4 For the two 4bed plus properties delivered specifically for larger Afghanistan households the migration status is different. Eligible Afghan households have indefinite leave to remain in the UK. Therefore, they will be offered the same type of tenancy that the relevant landlord would offer to any other tenants in line with their tenancy policy at the time.
- 2.5 **Property Swaps-** Due to the fluidity of housing need and the timescales involved in purchasing the properties, a situation could arise where an eligible household is homeless, but a suitable property is not available through the LAHF scheme at that time. In this instance the Council may seek to meet their need through the existing social housing stock via a direct let. A property funded through the LAHF scheme would then be identified to be let as general needs accommodation in accordance with the standard Social Housing Allocations Policy to ensure the existing stock is replaced and funding numbers complied with. This approach ensures an agile response to meeting housing need in situations where the properties secured via LAHF do not meet the need at the time.
- 2.6 **Relets-**Where a property funded through the LAHF scheme becomes vacant during the duration of this lettings plan, allocations will be made in accordance with this lettings plan. If no eligible households are identified, the property will be let in accordance with the normal provisions of the Social Housing Allocations Policy to meet wider local general housing and homelessness needs and responsibilities.
- 2.7 **Other Funding opportunities-** At the Cabinet on the 8th February 2023 members asked to be updated on any opportunities to obtain additional funding to deliver more properties via the LAHF. In March 2023 Government announced an additional £250million to the fund. To date there is no further information at this stage. We are awaiting further guidance from Government.

2.8 West Norfolk Housing Company Update – Cabinet agreed the following on 8th Feb 23;

- 1. Council agrees that, subject to agreement from West Norfolk Housing Company, the properties will be acquired by West Norfolk Housing Company, funded by the grant, debt financing and/or other available funding*
- 2. The Council requests that West Norfolk Housing Company works with the Council to deliver the properties through the fund.*

West Norfolk Housing Company Board received a report on the LAHF at a meeting on the 22nd March 2023. The Board accepted the request to work with the Council to deliver and acquire the properties delivered under the LAHF and enter into a legal agreement with the Council to accept the grant funding.

3. Options Considered

The options were considered in the previous Cabinet report dated 8th February 2023. The allocation principles were accepted and it was agreed that the properties would be delivered as affordable housing via West Norfolk Housing Company. There are no other options to consider.

4. Policy Implications

Households eligible for homes provided through the scheme are those on the schemes listed in paragraph 1.1 as established by DLUHC, who are homeless, at risk of homelessness or who live in unsuitable temporary accommodation (including bridging accommodation). The Council's existing Allocations policy makes provision for Lettings Plans.

5. Financial Implications

Financial implications of the grant funding were set out in the previous Cabinet report dated 8th February 2023. There are no additional financial implications.

6. Personnel Implications

None

7. Environmental Considerations

None

8. Statutory Considerations

The fund will provide accommodation which will assist the Council to meet its statutory homelessness duties. The Lettings Plan will ensure the properties are allocated to those in greatest housing need and in accordance with the eligibility criteria set out in the LAHF prospectus.

9. Equality Impact Assessment (EIA)

Pre-screening report attached. Full EIA to follow.

10. Risk Management Implications

The Council has accepted the grant funding and terms of conditions set out by DLUHC. The potential risks and implications associated with the grant were set out in the 8th Feb 23 Cabinet report. The risk of not endorsing the Lettings Plan impacts on the Council's ability to have an approach in place that means we can respond to housing needs of households under these schemes now in a timely way. The risks remain as set out in the last Cabinet report however we've made some good progress and a mitigation factor that remains is that the homes can be delivered through the Council's developments.

11. Declarations of Interest / Dispensations Granted

Duncan Hall - Director of West Norfolk Housing Company
Lorraine Gore – Company Secretary for West Norfolk Housing Company

12. Background Papers

Appendix A Lettings Plan
[Link to Council's Allocation Policy](#)

Appendix 1 - Pre-Screening Equality Impact Assessment

Borough Council of
King's Lynn & West Norfolk



Name of policy/service/function	Delivery of homes through Local Authority Housing Fund				
Is this a new or existing policy/service/function?	New				
<p>Brief summary/description of the main aims of the policy/service/function being screened.</p> <p>Please state if this policy/service is rigidly constrained by statutory obligations</p>	<p>Delivery of 16 homes using grant allocation from Local Authority Housing Fund to provide accommodation for eligible Ukrainian and Afghan households in line with eligibility criteria set by fund.</p> <p>The homes will help the council respond to increased pressures as a result of these arrivals and will be used to meet the wider housing needs of the borough in the longer-term</p> <p>Delivery of homes must be in accordance with the prospectus for the fund (see appendix 2)</p>				
Question	Answer				
<p>1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups according to their different protected characteristic, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?</p> <p>Please tick the relevant box for each group.</p> <p>NB. Equality neutral means no negative impact on any group.</p>		Positive	Negative	Neutral	Unsure
Age				Y	
Disability				Y	
Gender				Y	
Gender Re-assignment				Y	
Marriage/civil partnership				Y	
Pregnancy & maternity				Y	
Race	Y				
Religion or belief				Y	
Sexual orientation				Y	
Other (eg low income)	Y				

Question	Answer	Comments
<p>2. Is the proposed policy/service likely to affect relations between certain equality communities or to damage relations between the equality communities and the Council, for example because it is seen as favouring a particular community or denying opportunities to another?</p>	Yes	The delivery of homes through the fund could be seen as favouring eligible households from Ukraine and Afghanistan over established local communities.
<p>3. Could this policy/service be perceived as impacting on communities differently?</p>	Yes	Perception that this could negatively impact on established communities although not the case as homes would be delivered as affordable housing without the funding
<p>4. Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?</p>	Yes	Aims to tackle disadvantage faced by Ukrainian and Afghan households that have arrived in UK via resettlement schemes. Households may be at disadvantage when accessing housing due to difficulties in obtaining references and guarantors
<p>5. Are any impacts identified above minor and if so, can these be eliminated or reduced by minor actions?</p> <p>If yes, please agree actions with a member of the Corporate Equalities Working Group and list agreed actions in the comments section</p>	No	<p>Actions: N/A</p>
		<p>Actions agreed by EWG member:</p> <p>.....</p>
<p>If 'yes' to questions 2 - 4 a full impact assessment will be required unless comments are provided to explain why this is not felt necessary:</p> <p>Agreed that full impact assessment is required.</p> <p>Decision agreed by EWG member: <i>B. Box</i></p>		
<p>Assessment completed by:</p> <p>Name</p>	<p>Nikki Patton</p>	
<p>Job title</p>	<p>Housing Strategy Manager</p>	
<p>Date</p>	<p>25/1/23</p>	

Appendix 2 – Local Authority Housing Fund Prospectus