

## **CABINET – THURSDAY, 11 JANUARY 2024**

### **Report of the Director Housing and Wellbeing Lead Member: Executive Member for Public and Private Sector Housing**

#### **Part A**

#### DECLASSIFICATION OF PROPERTIES DESIGNATED FOR ALLOCATION TO PEOPLE AGED OVER 45 YEARS

##### Purpose of report

To seek Cabinet approval for the declassification of 1071 homes (around 20% of the Council's entire stock), which are currently restricted for allocation to those applicants aged 45 years and over.

##### Recommendations

1. That the Director of Housing and Wellbeing be authorised to remove the 45+ age classification from the 1071 properties at Appendix 1, and that:
2. This be completed in four phases at broadly six-month intervals, with the first phase of properties being declassified in the Summer of 2024.
3. The declassification of properties in each phase progress in consultation with the Executive Member for Public and Private Sector Housing, and subject to the successful management of demand on services arising because of declassification.
4. That targeted communication with affected tenants take place on a phased basis i.e., rather than writing to all affected tenants at once, communications will be issued to tenants in advance of each phase of declassification. Initial generic information will be placed in the tenant newsletter, including information relating to the phased nature of implementation.
5. That tenants be advised of the decision and the reasons for declassification, and provided with the opportunity to feed back any specific concerns so they may be responded to.
6. That the order of phases be based primarily on the meeting of housing need, with a particular focus on areas where there are more empty properties (voids). Tenancy management factors have also been considered including levels of ASB and tenancy support needs.
7. That one additional ASB Officer and one additional Tenancy and Estate Management Officer be recruited to, for a maximum period of three years, with the need for additional resource to be reviewed on an annual basis, and that the HRA revenue budget be increased to accommodate this.

## Reasons

1. To support compliance with equalities legislation, and the meeting of housing need.
2. To enable additional capacity currently being put in place to manage voids and allocations to be mobilised, and to put further resources in place to mitigate any increase in demand on tenancy management services.
3. To allow for monitoring of the impact on services, performance, and any increased movement in the housing stock.
4. To reduce the risk of a significant increase in demand on services and movement in the housing stock creating more voids at a time when services are already under pressure.
5. To support effective communication, reassure and provide information to tenants, and provide the opportunity for any specific issues to be responded to.
6. To support the meeting of housing need and to mitigate against increases in demand on services.
7. To mitigate any increase in demand on tenancy management services and to provide capacity to respond to specific tenant concerns and provide support.

## Policy justification and previous decisions

In line with the following 2023/24 Council Corporate Business Plan action, a review of age restricted properties has taken place:

*Review declassification of age restricted properties, to support the faster re-let of properties.*

The declassification of 45+ properties, should it be approved by Cabinet, will support compliance with the *Tenancy Standard* defined by the Regulator of Social Housing which sets out that:

*Registered providers shall let their homes in a fair, transparent and efficient way. They shall take into account the housing needs and aspirations of tenants and potential tenants.*

*They shall demonstrate how their lettings:*

- (a) make the best use of available housing*
- (b) are compatible with the purpose of the housing*
- (c) contribute to local authorities' strategic housing function and sustainable communities*

It is expected long term. achievement of the following void loss KPIs set out in the Council's Corporate Business Plan 2023-24 will be supported:

- *Percentage rent loss from void properties (Proxy Target) Age restricted properties.*
- *Percentage rent loss from void properties (Proxy Target) Non age restricted properties.*

### Implementation timetable including future decisions

It is recommended declassification be completed in four phases at broadly six-month intervals, with the first phase of properties being declassified in the Summer of 2024.

Declassifying accommodation is likely to result in a relatively slow change in the age composition of accommodation with properties only being opened for applicants on the housing register aged under 45 as they become vacant.

### Report implications

#### **Financial implications**

One additional full time ASB Officer and one additional full time Tenancy and Estate Management Officer is expected to cost £98.6K per annum. This will be included in the 2024/25 Original Budget if the recommendations in this report are approved. The continued need for the additional resource will be reviewed on an annual basis to reduce the risk of unnecessary expenditure.

#### **Risk management**

The risks associated with the decision Cabinet is asked to make and proposed actions to mitigate those risks are set out in the table below.

Risk Identified	Likelihood	Impact	Overall Risk	Risk Management Actions Planned
Increase in reports of anti-social behaviour and neighbourhood issues due to differences in lifestyle leading to service pressure and delayed response times and / or an inadequate service response leading to reputational damage or harm.	Likely (3)	Significant (2)	Moderate (6)	Implementation to be staged and will be gradual in any event as tenancies end and new lettings occur at declassified properties.  Tenancy management and ASB resources to be increased for a period.
Existing tenants, many of whom are over 60, may be concerned and	Likely (3)	Significant (2)	Moderate (6)	The reasons for declassification to be communicated, and residents provided with

Risk Identified	Likelihood	Impact	Overall Risk	Risk Management Actions Planned
distressed about younger people moving into the accommodation leading to decreased satisfaction with the housing service.				<p>the opportunity to feed back any specific questions and concerns so they may be responded to.</p> <p>Initial generic information will be placed in the tenant newsletter, including information relating to the phased and gradual nature of implementation.</p>
There is a risk existing tenants in 45+ accommodation may wish to move to alternative accommodation, increasing demand or stock turnover at a time when void services are under pressure, leading to a negative impact on void performance.	Likely (3)	Significant (2)	Moderate (6)	<p>That targeted communication with affected tenants take place on a phased basis i.e., rather than writing to all affected tenants at once, communications will be issued to tenants in advance of each phase of declassification.</p> <p>Recruitment to permanent members of staff in the allocations team is in progress.</p>

## Equality and diversity

The Council will meet its obligations in relation to equality and diversity through the declassification of accommodation.

There is currently a potential risk of breach of equalities legislation given there does not appear to be a proportionate current justification for a general needs 45+ age category. Removal of the 45+ age category will reduce the organisational risk of breach of this legislation.

People aged under 45 will be able to access accommodation they are currently excluded from purely because of their age rather.

More accommodation will be made available for people with disabilities aged under 45. Some of this accommodation will have adaptations present which would meet applicants' needs but cannot currently be accessed by applicants due to their age.

Existing tenants that are elderly may be distressed by the prospect of a change in tenant composition. Communication will take place with these tenants, setting out that changes will be phased and gradual. An opportunity for support with specific questions and concerns will be provided.

A completed equality impact assessment can be found at Appendix 2.

**Climate change and carbon impact**

No implications identified.

**Crime and disorder**

There is a risk of increased reporting of ASB and neighbourhood issues leading to service pressure and slower response times. Additional temporary resources will be recruited to for a period to mitigate this risk.

**Wards affected**

All wards.

**Publicity arrangements**

An article in the tenant magazine introducing the changes is planned. Specific communication will take place with affected residents.

**Consultations**

At its meeting on the 6<sup>th</sup> of September 2023 the Housing Management Advisory Board considered the recommendations detailed in this report and:

*RESOLVED that the Board supports the principle and approach to declassification as set out in the report.*

*Reason: To reflect the Board’s consideration and views on the matter, for reflection in any subsequent report to Cabinet.*

Furthermore, in 2017 as part of the consultation for the current Housing Allocations Policy a survey of stakeholders was undertaken. This included applicants on the housing register. Stakeholders were asked (as part of a suite of questions) whether they thought the 45+ age criteria should be removed. 78% agreed with the proposal.

**Links to the corporate strategy**

Caring for the Environment	No
Healthy Communities	Yes
A Thriving Economy	No
Your Council	No

Key decision: Yes

Date included on forward plan 18 October 2023

Background papers:

Cabinet - 9th March 2023 Housing Revenue  
Account Asset Management Strategy 2023-2028

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## Part B

### 1. Stock Numbers

- 1.1 The Council owns around 5,450 homes to rent. Around 2,000 (37%) of the homes have a minimum age designation (60+ sheltered housing, 60+ age-designated bungalows or 45+ age designated flats. Over 1,000 (20%) of the homes have a 45+ age designation.

Designation	Overall stock
No age restriction	3,463 (63%)
45+	1,071 (20%)
60+	923 (17%)
Total	5,457 (100%)

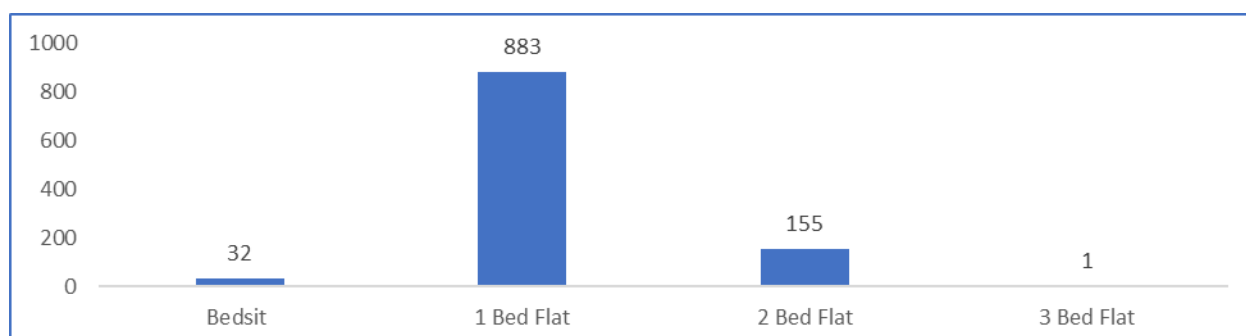
1,071 homes, or nearly 20% of the stock, are restricted for allocation to those applicants aged 45 and over.

- 1.2 Properties that currently have a 45+ age designation do not have any features / services specifically for persons aged 45 years or over. Therefore, people aged under 45 are currently excluded from 45+ accommodation solely based on their age, rather than because the accommodation is particularly suitable for people with a specific set of housing needs.

There is no current proportionate justification for having a category of housing specifically for people aged 45+. There is a risk of the Council breaching equalities legislation, therefore. Currently, people aged under 45 are excluded from that stock solely because of their age.

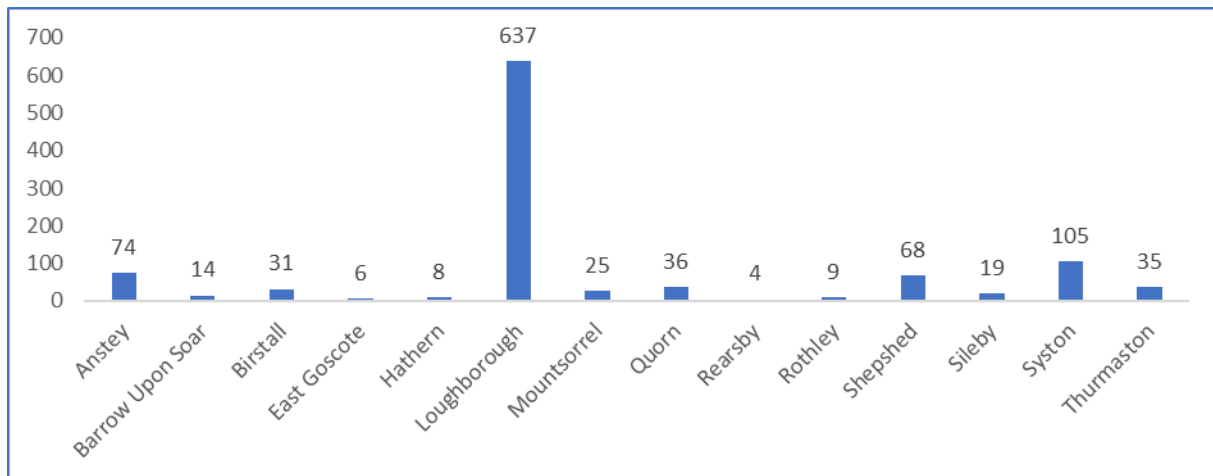
### 2. Stock Composition

- 2.1 Most of the 45+ age designated homes are one-bedroom properties. The chart below shows the distribution by property type and bedroom number.



### 3. Location

3.1 The majority (60%) of the 45+ age designated homes are located within Loughborough or Syston. The chart below shows the distribution by location.



### 4. Age of Current Tenants

4.1 The age profile of current tenants in accommodation classified for those aged over 45 is set out in the table below.

Row Labels	Count of Tenants (There are more tenants than properties due to joint tenancies)	Percentage
0	1	0%
0-44	39	4%
45-59	426	39%
60+	624	57%
<b>Grand Total</b>	<b>1,090</b>	<b>100%</b>

Currently, although the properties are designated 45+, tenants may have others living with them (partner, children etc.) that are aged under 45.

Properties in accommodation designated 45+ leased under the Right to Buy may be occupied by tenants aged under 45.

### 5. Voids (empty properties)

5.1 Data analysis undertaken in August 2023 showed the following:

- 75 properties with a 45+ age designation are currently void:



- 46 (61%) of these properties have recently been advertised for the first time / are due to be advertised for the first time once they are expected to be ready to let within the next 28 days.
- 26 (35%) of these properties have already been unsuccessfully advertised via the choice-based lettings system on at least 1 occasion since becoming void (i.e., they received no bids or the list of bidders was fully exhausted) and are currently being re-advertised or being considered for temporary placements for homeless applicants or use as decants for existing tenants.
- 3 (4%) of these properties are currently under offer.

5.2 Over the last 3 financial years (1<sup>st</sup> April 2020 to 31<sup>st</sup> March 2023) 1,154 properties became void. Higher proportions of the properties with a 45+ age designation have become void than properties with no age restrictions:

Designation	New voids	Overall stock	New voids as a percentage of stock
No age restriction	617	3,463	18%
45+	274	1,071	26%
60+	264	923	29%
Total	1,154	5,457	21%

5.3 Over the last 3 financial years (1<sup>st</sup> April 2020 to 31<sup>st</sup> March 2023) 907 void properties were relet. Average relet times were significantly higher for properties with a 45+ age designation than for those without an age restriction:

Designation	Average relet times
No age restriction	118 days
45+	145 days
60+	227 days

## 6. Housing Need Data

6.1 On 16<sup>th</sup> August 2023 there were 915 households on the housing register. The following table shows a breakdown by age profile of the main applicants and household bedroom need:

Age	1 bed	2 bed	3+ bed	Total
18 to 44 years	191 (44%)	236 (77%)	153 (86%)	580 (63%)
45 to 59 years	101 (23%)	56 (18%)	22 (12%)	179 (20%)
60+ years	140 (32%)	13 (4%)	3 (2%)	156 (17%)
Total	432 (47%)	305 (33%)	178 (19%)	915 (100%)

6.2 This data indicates that there is a higher overall level of need for social housing within Charnwood from applicants aged below 45 years (63%) than from

applicants aged 45 years or over (37%), and a higher level of need for all sizes of properties from applicants aged below 45 years than from applicants aged 45 years or over.

- 6.3 44% of the applicants on the housing register who have a need for 1 bedroom properties are currently unable to bid for the 1 bedroom 45+ age restricted properties.
- 6.4 77% of the applicants on the housing register who have a need for 2 bedroom properties are currently unable to bid for the 2 bedroom 45+ age restricted properties.

The data shows there is a high need for properties for people aged under 45, however currently this accommodation cannot be accessed by that cohort. Best use of stock to meet identified housing need is not therefore being made.

### 7. Demand / bidding activity data

- 7.1 Over the last 3 years, 126 45+ age designated homes have been advertised through the Council’s Choice Based Lettings (CBL) scheme. On average 3.5 bids were received for each available 45+ age designated property advertised. Bedsits were the most unpopular property type, receiving 1.7 bids on average per property with one bedroomed flats receiving on average 3.7 bids per property. In contrast, one bedroomed general needs flats with no age restriction receive on average 14 bids per property advertised and two bedroomed flats 9 bids.
- 7.2 Over the last 3 years (1<sup>st</sup> April 2020 to 31<sup>st</sup> March 2023) there have been a disproportionately high number of incidences where properties with an age designation that have been advertised have been refused by bidders, advertised unsuccessfully (i.e., no bids received, or the list of bidders was fully exhausted) and/or had to be advertised multiple times.

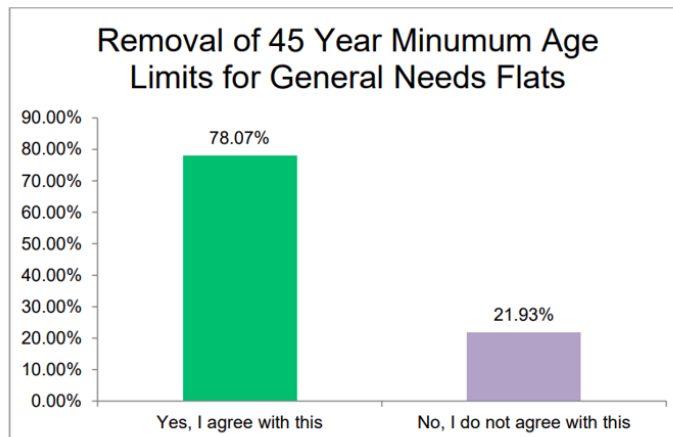
Designation	No bids received	Bids received but list fully exhausted	Repeat advert
No age restriction	20	72	41
45+	558	298	793
60+	12,486	286	14,588

The data indicates that properties with a 45+ age designation are significantly harder to let than properties with no age restriction.

### 8. Consultation Previously Undertaken

- 8.1 In 2017 as part of the consultation for the current Housing Allocations Policy a survey of stakeholders was undertaken. This included applicants on the housing register. Stakeholders were asked (as part of a suite of questions)

whether they thought the 45+ age criteria should be removed. The response result is below.



### 9. Re-housing Status of Existing tenants in 45+ Accommodation

Tenants affected by declassification that wished to move would, and subject to other checks being undertaken, fall into Band 2 *High Housing Need* under the Council's Housing Allocations Policy. For those residents aged over 60 there is some limited suitable (i.e., flatted, self-contained) stock in sheltered accommodation, however, much of the sheltered accommodation is bedsit accommodation and therefore unlikely to meet the needs or aspirations of older people. There are also around 500 units of general needs bungalow accommodation categorised 60+. Some of this stock has been hard to let due to its size constraints. A sheltered accommodation strategy is currently being developed. The strategy will consider both the amount of sheltered accommodation needed for the future, and how it may be delivered.

#### Appendices

Appendix 1 - Summary of Properties Currently Classified 45+

Appendix 2 - Equality Impact Assessment

#### Background Papers

CABINET – 19TH OCTOBER 2017 ITEM 6 CHOICE BASED LETTINGS HOUSING ALLOCATION POLICY

Available at:

[https://www.charnwood.gov.uk/files/papers/cab\\_19\\_october\\_2017\\_item\\_06\\_choice\\_based\\_lettings\\_housing\\_allocations\\_policy/Cab%2019%20October%202017%20Item%2006%20Choice%20Based%20Lettings%20Housing%20Allocations%20Policy.pdf](https://www.charnwood.gov.uk/files/papers/cab_19_october_2017_item_06_choice_based_lettings_housing_allocations_policy/Cab%2019%20October%202017%20Item%2006%20Choice%20Based%20Lettings%20Housing%20Allocations%20Policy.pdf)

## Appendix 1 - Summary of Properties Currently Classified 45+

Address	Area	Number of properties
Albion Street	Syston	3
Ashfield Drive	Anstey	11
Barrow Street	Loughborough	5
Beacon Road	Loughborough	21
Blenheim Road	Birstall	4
Bottleacre Lane	Loughborough	4
Bowler Court	Loughborough	9
Brookside	Rearsby	4
Bryan Close	Barrow Upon Soar	8
Burns Road	Loughborough	12
Canal Street	Thurmaston	4
Caters Close	Anstey	4
Catherines Close	Quorn	4
Chapel Close	Syston	11
Chapman Street	Loughborough	71
Chestnut Court	Mountsorrel	25
Church Lane	Anstey	16
Derby Road	Loughborough	14
Dormer Court	Hathern	8
Durham Road	Loughborough	11
Edward Street	Anstey	8
Fleury Court	East Goscote	6
Garendon Green	Loughborough	21
George Deacon Court	Loughborough	16
George Toon Court	Syston	30
Gloucester Avenue	Syston	37
Greenway Close	Rothley	5
Harlech Close	Loughborough	6
Hickling Court	Loughborough	38

Hume Street	Loughborough	15
King Edward Road	Loughborough	19
Knightthorpe Road	Loughborough	13
Lacey Court	Shepshed	48
Latimer Court	Anstey	10
Longcliffe Road	Shepshed	20
Lovett Court	Sileby	19
Melton Road	System	5
Melton Road	Thurmaston	4
Milton Street	Loughborough	4
Moira Street	Loughborough	46
Moor Lane	Loughborough	30
Newton Close	Barrow Upon Soar	6
Oakham Close	Loughborough	14
Old Hall Close	Thurmaston	27
Oxford Court	System	19
Paper Mill Close	Anstey	25
Park Court	Loughborough	35
Park Road	Loughborough	9
Pevensey Road	Loughborough	22
Pinfold Gardens	Loughborough	29
Revell Close	Quorn	12
Rockingham Road	Loughborough	10
Selbourne Court	Loughborough	11
Selbourne Street	Loughborough	4
Staveley Court	Loughborough	53
Stirling Avenue	Loughborough	4
The Mills	Quorn	20
Toothill Road	Loughborough	31
Tuckers Close	Loughborough	19
Walter Hull Court	Loughborough	13

Wanlip Lane	Birstall	27
Warwick Way	Loughborough	17
William Street	Loughborough	11
Woodgate	Rothley	4