

Consultation response

Shelter response to GLA consultation Mobility for London's social tenants

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Shelter is a national campaigning charity that provides practical advice, support and innovative services. More than one million people a year come to us for advice and support via our website, helplines and national network of services.

We help people to find and keep a home in a place where they can thrive, and tackle the root causes of bad housing by campaigning for new laws, policies, and solutions.

This work gives us direct experience of the various problems caused by the shortage of affordable housing across all tenures. Our services include:

- A national network of over 40 advice and support services
- Shelter's free housing advice helpline which runs from 8am–8pm (8am-5pm on Saturdays and Sundays)
- Shelter's website (shelter.org.uk/getadvice) which provides advice online
- The CLG-funded National Homelessness Advice Service, which provides specialist housing advice, training, consultancy, referral and information to other voluntary agencies, such as Citizens Advice Bureaux and members of Advice UK, who are approached by people seeking housing advice
- A number of specialist services promoting innovative solutions to particular homelessness and housing problems. These include Housing Support Services which work with formerly homeless families, and the Shelter Inclusion Project, which works with families, couples and single people who are alleged to have been involved in antisocial behaviour. The aim of these services is to sustain tenancies and ensure people live successfully in the community.

We also campaign for new laws and policies – as well as more investment – to improve the lives of homeless and badly housed people, now and in the future.

Summary

Shelter welcomes the opportunity to comment on the GLA consultation on mobility for London's social tenants. This response does not answer each specific consultation question systematically; rather it provides a summary of our position regarding key themes within the consultation proposal.

Shelter does not believe that a pan-London mobility scheme as proposed in this consultation is the fairest way of allocating London's scarce supply of social rented housing. As of 1st April 2010, there were 183,410 households in the reasonable preference category on housing waiting lists in London, waiting for a social home. The chronic lack of supply of social housing results in rationing and Shelter believes that any system of rationing must be based on need.

Both the cut to the capital spend programme announced in last year's spending review and the Government's proposals for a new affordable rent product, as outlined in the CLG consultation paper *Local decisions: a fairer future for social housing*, are in danger of reducing the supply of new social homes delivered in London, especially if social landlords deliver properties at 80% of the market rather than social rent. We believe that as the supply of social housing becomes even scarcer there must be an even greater presumption that these homes are allocated on a basis of greatest need rather than as a foot up into employment.

However, we do recognise that the current system hampers tenants' ability to move to another social letting or to bid for properties out with borough boundaries. We are very supportive of the use of regional and sub-regional Choice Based Lettings (CBL) to allow tenants to bid for properties across borough boundaries, providing these properties are allocated on the basis of cumulative need. We also support a pan-London approach to allocations policies, but are concerned that the flexibilities offered to local authorities in the *Local decisions: a fairer future for social housing* consultation would hamper the development of any pan-London CBL scheme.

We believe that the real opportunity for a pan-London mobility scheme is to help tackle London's significant overcrowding problem. We support the idea of giving existing tenants who are under occupying their homes, and who wish to move to a smaller home, appropriate priority to secure a transfer not just within their borough boundary but across London. By focusing on these households, and administering schemes sensitively, a pan-London scheme could go a long way to freeing up desperately needed larger homes for those currently living in severely overcrowded conditions.

Consultation questions

Including new and existing homes

As an adviser of tenants and people in housing need, we are aware that social tenants are often unable to move to another social letting, unable to change their housing circumstances because they have insufficient priority under the council's allocation scheme. However, we are opposed to the proposal to return to the position adopted before the 2002 Housing Act came into force of taking out of the allocation framework existing social tenants seeking a move.

Given the current context of massive under-supply of social rented housing, and the poor levels of security of tenure and affordability available in other sectors, Shelter believes that social housing properties must be allocated on the basis of cumulative need and is concerned that this would not be the case under this pan-London mobility scheme, where households already in social housing would be prioritised for a move ahead of those on the waiting list or in temporary accommodation, who are potentially in far greater need. Almost half of households leaving temporary accommodation in London spend more than two years in such accommodation¹, demonstrating the level of unmet housing need in the capital.

¹ Macinnes, T, Anushree, P and Kenway, P London's Poverty Profile 2010

In London, an area of very high demand, inevitably many households will be unable to access social rented housing and will end up having to rely on the private rented sector for accommodation, with the possibility of insecurity and high rent levels. Households who are not in such a high degree of housing need, or who have low levels of vulnerability, will be best placed to deal with this. If there is a desire to allocate social housing to certain types of households in line with employment or training, regardless of their level of housing need, a more appropriate policy response is to invest over the long term to increase the supply of social rented housing, so that it is not necessary to ration it so severely, and to improve what is available and accessible in other sectors so that private renting, intermediate rent, shared ownership and home ownership can all offer the levels of affordability, good management and security which the thousands of applicants on housing registers can currently only hope to secure through an allocation of social rented housing.

We believe allocations on the basis of cumulative need will become more important in the coming years in London, as more housing is delivered at levels of up to 80% of the market rent. For example, if no social tenants moving through the mobility scheme are to be offered the new affordable rent product this will further reduce the numbers of social homes available to those at the top of the waiting list, who may be in greater need than those transferring.

In order to make it easier for social housing tenants to move across borough boundaries, Shelter strongly supports the development of regional and sub-regional choice based lettings schemes. We also support the Government's aim to expand choice based lettings so that people can move nationwide. However, in our response to the consultation on the 2008 Code on Choice Based Lettings, we expressed concern about the fact that housing authorities are not empowered to work in partnership with RSLs in sub-regional or regional choice based lettings schemes. This restriction is clearly a barrier to RSLs' full involvement in CBL schemes. We consider it would be preferable for RSLs to be able to form full partnerships with housing authorities in order to jointly run regional and sub-regional schemes.

This model could be based on the West London Choice Based Lettings scheme, which operates sub-regionally with boroughs and RSLs working closely together and sharing a common allocations policy. This ensures that people looking for social rented housing have a wider choice of properties (albeit within a very constrained supply), including access to properties in other boroughs.

Schemes like this one demonstrate that there are already some provisions in London for mobility across borough boundaries, and we would support an expansion of such schemes to give all social tenants a greater choice about where they live.

Balancing local, sub-regional and regional needs

We do not have any comments to make on this section.

Protecting local priorities

From our perspective as an adviser of homeless people, people in housing need and tenants, we oppose the proposal to legislate to allow councils to determine who should qualify to join the waiting list for social housing as outlined in the *Local decisions: a fairer future for social housing* consultation. We particularly object to the suggestion that councils could impose residency criteria. People often need social rented housing in an area where they are not currently resident, for example to escape domestic violence, enter into drug or alcohol rehabilitation or take up an offer of employment, training or education.

Therefore we would be very supportive of a common banding system with a consistent approach to allocations across London, which would make the system more simple and transparent for applicants, especially those wishing to bid for properties across borough boundaries. As outlined above, we feel that all properties in this banding system should be allocated on a basis of cumulative need.

Promoting social mobility and social responsibility

Shelter has always expressed concern about policies which promote lettings to particular groups that are not in significant housing need. We continue to take issue with some properties being allocated to essential workers or those who have skills which are in short supply or to give preference to existing tenants who are willing to take up training opportunities. Instead, we believe that for people to have the best chance of finding and keeping a job, they need first to gain access to a stable, affordable and secure home. We are concerned that this policy suggests that existing households seeking employment get to move to area where they are more likely to find work, whereas an equal number of households in housing need are moved to areas where employment opportunities are more limited. If you assume that the household in need is never going to work this may provide a more efficient allocation, but such a policy will certainly make it more difficult for them to enter employment in the future – whether due to a public intervention or a change in household circumstances. If anything, this policy could exacerbate poverty and benefits dependency among priority need groups.

Given the Government's strong messages about getting people back into work, reducing access to social housing for those out of work would be counterintuitive and would make this group even less likely to move into employment in the future.

We also believe there are policies that would have far more impact on social tenants' ability to take up work, namely reducing the high marginal deduction rates that Housing Benefit claimants face when they move into work, which can often leave them worse off or only marginally better off by taking up work, and the impact on benefit claims when people take up short-term work.

Creating the system

We do not have any comments to make on this section.

Consolidating the mobility offer

Shelter does not believe that a mobility scheme that favours those in the system above those out with in higher need should be adopted. As we said in our response to the previous Government's consultation on a new draft Code of Guidance on allocation of social housing, we have some sympathy with the view that councils should have scope to provide within their allocation scheme for existing social tenants who do not have reasonable preference to transfer to similar sized accommodation where they can demonstrate good reason for seeking a move, for example where they want to take up an offer of employment. However, we do not believe that these moves should be prioritised ahead of those in higher need on the waiting list, and are concerned about the quality of accommodation of properties that may be offered to applicants in the reasonable preference category as a result.

It is argued that such transfers are broadly 'stock neutral' (every transfer creates another vacant dwelling which can be used to meet housing need). However, this policy may result in existing tenants falling outside of reasonable preference being allowed transfer to the more popular properties in the more popular areas, thereby vacating the more undesirable property, to be allocated to people in the greatest housing need. We do not want to see a policy where those in the greatest need (households who have experienced homelessness and may have multiple medical and welfare needs) are only able to access inferior accommodation in the least desirable neighbourhoods. In such cases, it would be much more difficult for the tenancy to be successfully sustained.

To increase the ability for tenants to move and bid for properties across borough boundaries, Shelter advocates the development of regional and sub-regional choice based lettings schemes. We also strongly support London and national mutual exchange schemes and believe that they should be better resourced and more easily accessible to tenants. Social housing management staff should also have the resources to liaise with people who might be willing to move, be encouraged to prioritise mutual exchange and mobility scheme moves and be flexible with re-letting timescales ("void turnaround") if this would encourage people to move.

Alongside a pan-London CBL scheme, and an extension of the mutual exchange offer, we believe that the best way of consolidating the pan-London mobility option is to have a real focus on tackling overcrowding and under occupation.

We support the idea of giving existing tenants who are under occupying their homes, and who wish to move to a smaller home, appropriate priority to secure a transfer within an authority's allocation scheme and believe this should be extended across borough boundaries. We also support the approach that scarce accessible and adapted accommodation is prioritised for people with access needs. Such incentives must be sensitively administered, and people must not feel pressurised into moving, especially older people who may have lived in their homes for many years and for whom a move to a new home, away from the support of neighbours, services and familiar surroundings, might be traumatic and leave them feeling isolated. People need to be supported, rather than coerced from their homes. However, using a mobility scheme to allow under occupiers more choice about where they live across London and offering the properties they have vacated to households who are overcrowded, and should already be categorised as having reasonable preference, would be a big step in helping to tackle London's serious and growing overcrowding problem.