

Cabinet (Resources) Panel
17 February 2021

Report title	Nominations Agreement with Registered Housing Providers.	
Decision designation	AMBER	
Cabinet member with lead responsibility	Councillor Jaqueline Sweetman City Assets and Housing	
Key decision	Yes	
In forward plan	Yes	
Wards affected	All Wards	
Accountable Director	Ross Cook Director City Environment	
Originating service	City Housing	
Accountable employee	Michelle Garbett	Housing Policy Officer
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Report to be/has been considered by	City Environment Leadership Team	2 February 2021

Recommendations for decision:

The Cabinet (Resources) Panel is recommended to:

1. Approve the revised Agreement between the Council and Registered Providers of Social Housing for Nominations.
2. Delegate authority to the Cabinet Member City Assets and Housing, in consultation with the Director for City Environment to agree future revisions to the Nominations Agreement.

1.0 Purpose

- 1.1 The purpose of this report is to seek approval for the Council to adopt a revised Nominations Agreement with Registered Providers (RP) that provide social housing in the city.
- 1.2 This new Agreement has been developed following a review of the existing Agreement in consultation with RPs that operate within the city and will also apply to RPs planning to build or acquire social housing in Wolverhampton.
- 1.3 The revisions in this Agreement will bring it in line with approved changes to the Allocations Policy.

2.0 Background

- 2.1 Under Section 170 of the 1996 Housing Act, it is a requirement of RPs to co-operate with the Local Authority as much as is reasonable in offering accommodation to people with priority under the Local Authority's housing allocation scheme. This is achieved through a Nominations Agreement between the Local Authority and individual RPs offering affordable housing to let in the city which sets out the proportion of their properties that become available to let that are made available to the Council for applicants on the citywide housing register.
- 2.2 The Statutory Code of Guidance for Housing Allocations 2012 states that Nominations Agreements should set out the proportion of lettings that will be made available; any criteria which the RP has adopted for accepting or rejecting nominees; and how any disputes will be resolved. It goes on to state that Housing Authorities will want to put in place arrangements to monitor effective delivery of the Nominations Agreement.
- 2.3 The Nominations Agreement was last updated in 2014, since which time the Council's Allocations Policy has undergone review and has been updated. The adopted Allocations Policy, which will be fully rolled out in July 2021, will operate as a closed register; only those with an identified housing need will be eligible to join. This will enable the Council to provide the people in the greatest housing need to have the best opportunity to access suitable housing, and also make the best use of its housing stock. The Nominations Agreement has been revised in line with the Allocations Policy and offers a more robust commitment to the monitoring of the arrangement to ensure the Council receives the nomination percentages as agreed in the new Agreement.

3.0 Nomination Agreement

- 3.1 There is in the region of four thousand general needs properties in the city that are owned or managed by RPs. These are a valued source of much needed affordable housing to communities. In addition to the Council's own stock, the RPs stock contributes to meeting housing need in the city.
- 3.2 The Council's Nominations Agreement formalises this arrangement by setting out the mechanism by which the Council will make nominations of people on its housing register

(Homes in the City) to RPs. It also provides the procedures to be used to make existing and arising void properties available for nominations to the Council.

- 3.3 RPs are required to provide 50% of voids to the Council for nomination of applicants from the Council's housing register. In addition, they are expected to offer 100% of any new build developed where grant funding has been utilised.
- 3.4 The new Agreement has been updated in light of changes made to the Council's Allocations Policy and to include changes in operational delivery that have occurred since the last time the Agreement was updated.
- 3.5 The review of the current arrangement found that more robust processes for monitoring the Agreement is required to enable the Housing Strategy Team to effectively monitor and report on nominations activity, ensuring that RPs are meeting the obligations set out in the Agreement.
- 3.6 The review has shown that there are difficulties when applicants who have a homelessness priority are made an offer of accommodation by a RP as it is difficult for the Council to formally discharge its homelessness duty in a timely manner. The new Agreement asks that RPs send out a standard council approved letter for the discharge of Homelessness.
- 3.7 The Council will need to sign a separate agreement with each of the RPs who have properties within the city. For the first twelve months, this agreement will be reviewed every three months with each Registered Provider to ensure it is working effectively and meeting its aims and objectives. Thereafter it will be reviewed, at least every two years.

4.0 Evaluation of alternative options

- 4.1 Option 1 - to continue with the current agreement which has not been updated to ensure it aligns with the Council's Allocations Policy and so does not provide a clear and consistent approach as to the Council's expectations including on arrangements for monitoring nominations. This could result in the Council not making best use of affordable homes that become available in the city for those in housing need.
- 4.2 Option 2 - to only update the parts of the Agreement where changes to process both in the Allocations Policy and within Wolverhampton Homes Lettings Team have occurred. Whilst this will bring the Agreement in line with both the Allocations Policy and any changes in processes it would not satisfy the need for more effective monitoring of properties offered for nomination by RPs or the need to ensure that those in the greatest housing need are not being overlooked in favour of those with a lesser presentation of housing need.
- 4.3 Option 3 - to adopt the revised Nominations Agreement as detailed in Appendix 1. This will ensure the Council is meeting its legislative requirements and is responding to the current operating environment as reflected by the revised Allocations Policy objectives, including making best use of the Council and RP homes and ensuring those in the

greatest housing need have the greatest opportunity for accessing suitable accommodation.

5.0 Reasons for decision

5.1 Option 3 will provide the Council with a Nominations Agreement that is fit for purpose, aligned to current policy and practice including an improved mechanism for the monitoring of Nominations to ensure that those on the housing register and in the greatest housing need are being fairly considered when nominations are provided to RP, assisting the Council in making the best use of all affordable housing that becomes available in the city.

6.0 Financial implications

6.1 This report has no financial implications for the Housing Revenue Account.

6.2 Ensuring RPs meet their obligations for the provision of affordable housing to applicants on the Council's housing register, as per the Nominations Agreements they have with the Council, increases the numbers of households that can be supported into affordable housing, including reducing the length of stay of some households in temporary accommodation, reducing the financial pressure on the General Fund.

[JM/03022021/L]

7.0 Legal implications

7.1 The Nominations Agreement has been developed with full consideration to the legal context.

7.2 Under section 170 of the 1996 Housing Act, it is a requirement of RPs to co-operate with the Local Authority as much as is reasonable in offering accommodation to people with priority from under the Local Authority's allocation scheme.

7.3 The Regulator of Social Housing's Consumer Standards 2015 sets out the requirement for RP to cooperate with the Local Authorities strategic housing function.

7.4 The Statutory Code of Guidance for Housing Allocations 2012 states that Nominations Agreements should set out the proportion of lettings that will be made available; any criteria which the RP has adopted for accepting or rejecting nominees; and how any disputes will be resolved. It goes on to state that Housing Authorities will want to put in place arrangements to monitor effective delivery of the Nominations Agreement.

[RP/03022021/A]

8.0 Equalities implications

8.1 An equalities analysis has been undertaken, which demonstrates the positive implications of the revised Nomination Agreement in increasing the quantity, range and type of affordable housing that is made available to those households in housing need through nominations of applicants from the housing register to Registered Providers.

9.0 All other Implications

9.1 No further implications.

10.0 Schedule of background papers

10.1 [Housing Allocations and Nominations Agreement](#) – 10 December 2014 – Cabinet

10.2 [Allocations Policy Review](#) – 19 February 2020 - Cabinet

11.0 Appendices

11.1 Appendix 1: Agreement of Nominations Arrangements