

# Vibrant and Sustainable City Scrutiny Panel

11 February 2016

**Report title** Review of Age Designations on Council Flats

**Cabinet member with lead responsibility** Councillor Peter Bilson  
City Assets

**Wards affected** All

**Accountable director** Lesley Roberts, City Housing

**Originating service** Housing

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**Report to be/has been considered by**

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## Recommendation(s) for action or decision:

The Panel is recommended to:

1. Consider and comment on the proposal to remove age designations across all flats in the City.
2. Consider and comment on the proposal to remove age designation from three blocks that were former sheltered properties.
3. Consider and comment on the proposal that tenants of former sheltered properties are given an additional priority within the Council's housing allocation policy.

## Recommendations for noting:

The Panel is asked to note:

1. The review of age designations on Council flats and reasons for it being undertaken.
2. This item is being considered as pre-decision scrutiny and will therefore not be available to call-in once a decision is made by the Executive.
3. The Panel's comments on the proposal will be included as an appendix in the report to Cabinet.

### **3.0 Purpose**

- 3.1** The purpose of this report is to seek the views of councillors on the review of age designations for allocating Council flats prior to a report being considered by Cabinet for decision.

### **2.0 Background**

- 2.1** The Council is required by Part VI Section 167 of the Housing Act 1996 to have a scheme for determining priorities, and the procedure to be followed, in allocating housing accommodation both to first time applicants and transferring tenants including nominations to Registered Providers (Housing Associations). This is the Council's Allocations Policy.
- 2.2** The aim of the Allocations Policy, whilst meeting legislative requirements, is to make best use of the limited supply of social and affordable housing becoming vacant each year by providing a simple, transparent priority system based on clear criteria that determines an applicant's priority within the allocations scheme.
- 2.3** Section 32 of the Allocations Policy refers to 'designated properties':

*32.1 Particular properties, particularly certain blocks of flats, are designated for particular age groups. If a joint application only one of the applicants need to meet the age designation. Applicants with children under the age of 18 years as part of their household will not be considered for age designation properties. No allocation of a property in a former sheltered scheme will be made to an applicant with children of any age.*

*32.2 Any designation will be included in the advertisement for a property. If no eligible applicants bid for it then the property will be allocated to the applicant that most closely meets the criteria.*

*32.3 Periodic reviews of designations may be undertaken to ensure that the Council is able to react to changes in supply and demand.*

- 2.4** It is good practice to regularly review allocations policies. During the last review and associated equality analysis, approved by Cabinet on 10th December 2014, it was recommended that section 32, 'designated properties' was reviewed further to consider the impacts of the Equality Act 2010, Localism Act 2011 and the Welfare Reform Act 2012.

### **3.0 Current Position**

- 3.1** There are currently 78 low rise and high rise blocks of flats within the Council's portfolio, that have an age designation applied to them. This amounts to 2,295 properties; 10 per cent of the Council's housing stock. Age designations span from a minimum age of 25 years up to a minimum age of 60 years, with 67% of them set at a minimum age of 30.

- 3.2 While the Allocations Policy sets out how age designated flats should be allocated, there is no consistency to why or how a property has an age designation. This has led to flats being designated across a range of different age groups with the reasons why now difficult to justify. This has a number of implications for the Council in allocating housing.
- 3.3 There is significant demonstrable housing need within the city with 7,880 applicants on the Council's housing register (as at December 2015). During 2014/15, 892 flats became available for letting of which around a fifth (21.1 per cent) were flats with an age designation. The number of bids on flats with an age designation tends to be fewer than undesignated flats and in some instances the age designation makes some properties difficult to let. This results in properties being allocated to applicants of lesser priority in Bands<sup>1</sup> 3 or 4 more often than general relets. This has implications in terms of making the best use of the Council's housing stock by not meeting the housing needs of those most in need. In 2014/15, 19.2 per cent of all lets went to applicants in Band 3. In comparison, 33.9 per cent of relets with an age designation went to applicants in Band 3 and 36.5 per cent to applicants in Band 4.
- 3.4 Those aged between 25 to 34 years are the largest group of applicants on the housing register, accounting for a third of all applicants. When combined with the 15<sup>2</sup> to 24 age bracket young people account for 49 per cent of applicants. By contrast those aged 55 plus account for 16.2 per cent of households on the housing register. Reserving 10 per cent of the Council's stock for older housing groups is therefore disproportionate, as it does not reflect need, in particular for two-bedroom property.
- 3.5 Following the introduction of the Welfare Reform Act 2012 and the 'removal of the spare room subsidy', commonly referred to as the "bedroom tax"; there is a greater demand for two-bedroom property in the city. Two thirds of one and two bedroom Council properties are flats; 26 per cent are age designated. As at December 2015 83 per cent of applicants on the housing register needed either a one or two-bedroom home. There is increasing pressure for smaller units, of which a significant proportion are unavailable to those that need them including families with children.
- 3.6 Families with children, regardless of the parents' age are unable to access age designated flats. Twenty nine per cent of households on the housing register are families requiring two bedroom properties. By contrast only three per cent of the housing register are couples or singles in need of a two-bedroom property. This illustrates that the need for 2-bedroom accommodation predominantly comes from families. Reserving a tenth of the Council's stock for households over the age of 30, is therefore disproportionate to the

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<sup>1</sup> The allocations policy sets out criteria for the assessment of applicants' circumstances, who are assessed and placed in one of five bands of priority for allocation purposes. With the Emergency Band having the highest housing priority, followed by Band 1 through to Band 4 with lesser preference having the lowest priority.

<sup>2</sup> 16/17 year olds will not normally qualify for an allocation until reaching the age of 18, however in certain circumstances where this is required, the application for re-housing before the age of 18 can be referred to Wolverhampton Young Persons Accommodation Forum (WYPAF). More information can be found in the Council's Allocation Policy.

needs of the city particularly when only 180 two-bedroom houses came available for letting during 2014/15.

- 3.7 Age designation disproportionately restricts access to housing for women. Statistics show a high representation of women are head of households within Council housing and also that women are more likely to head up single parent households. Women are therefore more likely to be detrimentally affected by the current policy than men as those that might meet the age designation but have children will not be eligible for those properties.
- 3.8 The aim of the review of age designation on flats is therefore threefold:
- To increase the amount of housing available to those in housing need and in doing so improving their chances of being housed;
  - To make best use of stock so that Council housing is allocated to those most in need and;
  - To ensure the policy does not have detrimental equality impacts and is compliant with the law.
- 3.9 Although age designations have been in place for a number of years there are a number of caveats within the Allocations Policy that have resulted in some households younger than the required age living in age designated blocks throughout the city:
- In a joint application only one of the applicants needs to have met the age designation.
  - Where no eligible applicants bid or accept a property, it is allocated to the applicant that most closely meets the criteria.
  - When a property is sold through Right to Buy it is no longer covered by age designations.

#### **4.0 Review Process**

- 4.1 A review has been undertaken of age designation on flats with the aim of establishing a policy that is based on a clear and proportionate rationale and achieves the objectives set out at 3.8.
- 4.2 A working group was established to undertake the review of age designation on flats including Housing Services, Legal Services and Wolverhampton Homes employees. Flats within the Dovecotes Tenant Management Organisation and Springfield Horseshoe Tenant Management Cooperative housing management areas are affected by the review. Those organisations have also been engaged in the review.
- 4.3 In undertaking the review, due regard had to be paid to the Equality Act 2010. This Act seeks to tackle unlawful discrimination against a person or group of people with a protected characteristic(s). An important part of the Act is the Public Sector Equality Duty, which plays a key role in ensuring that fairness is at the heart of public bodies' work and that public services meet the needs of different groups. It also requires public bodies to think about how they can eliminate discrimination, advance equality of opportunity and foster good relations for all protected groups.

- 4.4 The Public Sector Equality Duty requires public bodies to think proactively about how they can ensure that everyone has an equal opportunity to use and access public services. However, anti-age discrimination provisions are not extended to accommodation as referred to in paragraph 4.13 of the Equality Act. Part 4 of the Equality Act deals with accommodation and Section 32 makes it clear that Part 4 does not apply where the protected characteristic is age. This means that it is not unlawful to discriminate on the grounds of age in the disposal and management of accommodation. This is because of the need to retain age-based housing such as foyer homelessness services for young people or sheltered housing for older people.
- 4.5 Due to the Public Sector Equality Duty, the Council needs to demonstrate that it has given due regard to the need to eliminate discrimination, advance equality and foster good relations in respect of age for their housing functions. The Council is required to objectively justify discriminating in the management and disposal of accommodation.
- 4.6 In undertaking the review, the working group could find no objective justification to develop a policy that continues to apply age designations to the current extent and in the current way (i.e. weighted at a minimum age of 30 years).
- 4.7 The working group identified a justifiable objective for a proportionate amount of housing to be reserved for older people within the Council's housing offer that creates an environment for older people who would like to live together to support communal interaction, reduce social isolation, in a supportive environment:
- The scheme design and communal facilities allow like-minded residents to live in a supportive and secure environment that enables them to continue to live independently and combats isolation.
- 4.8 In conclusion, sheltered properties and those that are designed for and used by older residents are the most appropriate for an age designation, with the removal of the age designation recommended for all other blocks.

## **5.0 Recommendations**

- 5.1 As a result of the review a series of recommendations are being put forward to Cabinet:
- 5.1.1 The removal of age designations across all flats in the City.
- 5.1.2 The majority of blocks that come under this review have always been general needs accommodation except for an age designation applied to them. It is proposed that these will be open to all eligible applicants, which will include households with children, regardless of age. These blocks are listed in Appendix A. This is consistent with all other blocks within the Council stock that have never had an age designation applied to them.

- 5.1.3 The application of an age designation of 50 years to those flats covered within the review that were former sheltered properties and meet the justified objective of creating *'supportive and secure environment(s) that enables (older people) to continue to live independently and combats isolation'*. Only applicants where all members of the household are aged 49 or above at the time of bidding for the property will be considered. These blocks are set out at Appendix B.
- 5.1.4 There are three former sheltered blocks where it is recommended that the age designation is completely removed. This is because the design of these blocks mean they are unable to meet the justification outlined in 5.13 above. These are set out at Appendix C. It is recommended that tenants of these former sheltered blocks are given an additional priority within the Council's Allocation Policy should they wish to move to a property with an age designation when they become available to let. This will require an amendment to the Allocations Policy to include an additional need for those tenants in one of the three former sheltered blocks to lose the age designation to support them moving to a flat within an age designated block.
- 5.2 These recommendations will form a local lettings plan as an addendum to the Allocations Policy. This will be subject to periodic review to ensure the policy is meeting its intended objectives. If any detrimental equality impacts arise they are addressed and further revisions can be made should the implementation of age designations lead to issues of low demand and significant periods of void loss.
- 5.3 In addition to a proportion of flats being reserved for older applicants, the Allocations Policy also gives additional preference for ground floor flats across all the Council's stock given to those who are 55 years plus or applicants with mobility issues. Bungalows are reserved for applicants who are 60 plus or have an immediate need for a fully adapted or purpose build property or have a progressive degenerative disease and require this type of property imminently. There is also a range of sheltered accommodation exclusively for older people offered for rent by registered providers operating in the city that are advertised alongside Council property on Homes in the City.

## **6.0 Feedback**

- 6.1 Recommendations have been shared with key stakeholders, offering the opportunity to provide feedback to be considered alongside this report.
- 6.2 Recommendations were initially shared with all Councillors whose wards would be affected by the age designation review; 18 out of 20 wards. Of the 53 Councillors written to, feedback was received from six. Concerns were expressed around clashes of lifestyle caused by inter-generational living and the potential to increase anti-social behaviour (ASB) within these blocks and its impact on older, vulnerable tenants.
- 6.3 Letters were sent to the 2,295 households affected by the changes being made to age designations, with hand delivered letters and meetings at blocks requiring additional support, such as former sheltered blocks. Feedback has been received from twenty

tenants. Two tenants supported the proposals and 17 expressed similar concerns to the Councillors on clashes of lifestyle.

- 6.4 Feedback was received from Wolverhampton Federation Tenants Association (WFTA). WFTA supports the broad proposals of the review however expressed concern that this is a sensitive issue in some blocks. WFTA also feels that where age designations are in place these restrictions should be kept to more closely than the existing policy, which allowed people younger than the designated age to live in blocks.
- 6.5 Both Dovecotes TMO and Springfield Horseshoe TMC support the broad proposals. Two blocks managed by Dovecotes TMO are affected. The board welcomed the proposals for one block but felt it would be more of a sensitive issue for the other. Springfield Horseshoe TMC expressed that the flats affected currently function well with the existing age designation in place.
- 6.6 A review of ASB data relating to blocks of flats within the city, both with and without age designations shows that perpetrators of ASB are not in the main younger people, nor are blocks without an age designation subject to any more ASB than those blocks with them. It is therefore not anticipated that there will be any increase in ASB attributed to the removal of age designations. This is in part due to the practices adopted by Wolverhampton Homes and the TMOs in letting and managing Council properties. This includes:
- Pre-tenancy work undertaken with successful applicants so they understand what is expected of them and the potential consequences of ASB.
  - A number of checks are undertaken on successful applicants including addresses for the last ten years, any changes of name, debts or anti-social behaviour with the Council or Housing Association and/or references from private landlords. Where appropriate, an applicant may be given lesser preference in terms of the level of priority they are awarded when bidding for housing (the lowest level of priority) for example arrears or ASB. Where the behaviour is serious enough to make them unsuitable to be a tenant they could be excluded from the housing register and so unable to bid for housing.
  - New tenants have an introductory tenancy for 12 months. Any breaches are dealt with and in cases of persistent or serious ASB the tenant will be evicted.
  - The Tenancy Agreement and associated Tenant Handbook make clear the roles and responsibilities of tenants.
  - There is a tenancy sustainment service which helps to identify and resolve any issues.
  - The introduction of younger tenants into blocks of flats is likely to be a slow process as it is dependent on flats becoming available and younger people being successful in their application. If nuisance or ASB is caused Estate Managers will address issues as they arise.
- 6.7 Further, the introduction of the Anti-Social Behaviour (ASB) Act 2003 and Anti-Social Behaviour, Crime and Policing Act 2014, means there are many tools available to deal

with such issues that affect a small minority of tenants, as they arise. The Council's Anti-Social Behaviour service sits within Wolverhampton Homes.

The ASB service works to:

- encourage reporting of ASB;
- take early action to prevent escalation;
- provide support to victims and their families;
- fully investigate complaints of ASB and deals with them within the given timescales;
- ensure actual and potential perpetrators of ASB are aware of the consequences of their actions;
- take legal action against the perpetrators where it is proportionate and where there is sufficient evidence to do so;
- encourage a multi-agency approach to dealing with casework and finding resolutions to ASB.

6.7 A summary of the feedback received is set out at Appendix D.

## 7.0 Financial implications

7.1 There are no direct costs associated with the recommendations.

7.2 There is the potential for reducing void loss resulting from increasing the number of applicants eligible to bid on property through the Council's choice base lettings system, Homes in the City, which increases the likelihood of a property being let, especially those experiencing lower demand due to the restrictions placed on age.  
[JB/21012016/E]

## 8.0 Legal implications

- 8.1 The current Age Designation Policy sits within the Council's Allocation Policy: Local Authorities are required by Part VI Section 167 of the Housing Act 1996 to have a scheme for determining priorities, and the procedure to be followed, in allocating housing accommodation both to first time applicants and transferring tenants including nominations to Registered Providers (Housing Associations).
- 8.2 The review has been done in accordance with the Allocations Policy whereby the Council reserved the right to undertake '*Periodic reviews of designations ... to ensure that the Council is able to react to changes in supply and demand*', (32.3). Tenants letting properties within an age designated block should therefore be aware that age designations are subject to change.
- 8.3 Whilst the Allocations Policy does endeavour to provide accommodation through age designations to groups of residents of a particular age, this is not an exclusive arrangement with the Council currently afforded the right to let property to people below any specified age limit. Tenants letting properties within an age designated block will be aware from the Allocations Policy that those blocks are not reserved exclusively for people above the minimum age: *32.1 If a joint application only one of the applicants need*



*to meet the age designation. 32.2 Any designation will be included in the advertisement for a property. If no eligible applicants bid for it then the property will be allocated to the applicant that most closely meets the criteria.*

8.4 The review of the age designation has been done in compliance with the Equality Act 2010, giving due regard to the Council's Equality Duty.  
[RB/20012016/J]

## **9.0 Equalities implications**

9.1 The recommendations in this report set out to address a number of issues identified within an Equalities Analysis on age designations of flats including potential detrimental impacts on women and pregnancy and maternity.

9.2 The recommendations are in alignment with the local authority's Equality Duty having given due regard to the need to eliminate discrimination, advance equality and foster good relations in respect of age for their housing functions, to lawfully justify discriminating in the management and disposal of premises/accommodation.

## **10.0 Environmental implications**

10.1 There are no environmental implications of these proposals.

## **11.0 Human resources implications**

11.1 Implementation of an Age Designation local lettings plan will be undertaken within current resources from Housing Services and Wolverhampton Homes. This will include amendments to the Allocations Policy, Northgate system (The Council's housing management software), briefing of staff and communication of changes to tenants and applicants.

## **12.0 Corporate landlord implications**

12.1 There are no implications for Corporate Landlord as the properties affected are held within the Housing Revenue Account.

## **13.0 Schedule of background papers**

13.1 Allocations Policy Review, Cabinet, December 2014

## Appendix A

### Recommendation: Age designation removed from blocks

Block	Ward	Current Age Designation	Number of Flats
Adey Road	Wednesfield North	30 Plus	9
Arthur Greenwood Court	Ettingshall	25 Plus	57
Ash Street	Park	40 Plus	22
Barley Close	Oxley	40 Plus	21
Birch Court	St Peter's	30 Plus	35
Boydon Close	Ettingshall	30 Plus	25
Bracken Close	Oxley	40 Plus	18
Brantley Avenue	Tettenhall Wightwick	30 Plus	39
Broadmeadow Green	Bilston North	30 Plus	8
Brockfield House	Heath Town	30 Plus	107
Bromfield Court	Tettenhall Wightwick	30 Plus	15
Campion House	Heath Town	30 Plus	100
Cannock Road	Bushbury South and Low Hill	50 Plus	29
Castlecroft Road	Tettenhall Wightwick	30 Plus	7
Connaught House	Park	30 Plus	40
Dale Street	Graiseley	30 Plus	27
Dinsdale Walk	St Peter's	30 Plus	28
Ettingshall Road	Spring Vale	50 Plus	5
Eversley Grove	Heath Town	40 Plus	10
Fellows Road	Bilston North	30 Plus	1
Ferguson Street	Wednesfield North	30 Plus	16
Field Head Place	Tettenhall Regis	30 Plus	10
First Avenue	Bushbury South and Low Hill	30 Plus	59
Flaxton Walk	St Peter's	30 Plus	14
Fozdar Crescent	Spring Vale	50 Plus	5
Frost Street	Ettingshall	30 Plus	13
Graiseley Street	Graiseley	30 Plus	17
Green Lanes, Stowlawn	Bilston North	30 Plus	10
Gregory Court	Wednesfield North	30 Plus	52
Griffiths Drive	Wednesfield North	30 Plus	10
Grosvenor Court	Wednesfield South	50 Plus	41
Hart Road	Wednesfield South	30 Plus	3
Higgs Road	Wednesfield North	30 Plus	5

<b>Block</b>	<b>Ward</b>	<b>Current Age Designation</b>	<b>Number of Flats</b>
Highfield Court	Merry Hill	30 Plus	122
James Street	Bilston East	30 Plus	7
Langdale Drive	Bilston North	30 Plus	6
Lawnside Green	Bilston North	30 Plus	6
Limehurst Avenue	Tettenhall Wightwick	30 Plus	40
Lincoln Street	Heath Town	30 Plus	10
Longfield House	Heath Town	30 Plus	100
Lord Street	Bilston East	40 Plus	6
Lord Street	Graiseley	40 Plus	16
Lower Street	Tettenhall Regis	40 Plus	7
Merridale Court	Graiseley	40 Plus	108
Oak Street	Graiseley	40 Plus	14
Prestwood Road	Wednesfield North	30 Plus	10
Primrose Avenue	Bushbury North	30 Plus	33
Princess Court	Fallings Park	40 Plus	14
Queens Court	Fallings Park	40 Plus	18
Red Oak House	Heath Town	30 Plus	37
Regis Road	Tettenhall Regis	30 Plus	1
Russell Court	Graiseley	30 Plus	42
Sandy Hollow	Tettenhall Wightwick	55 Plus	41
St Josephs Court	Merry Hill	30 Plus	112
St Philips Grove	Graiseley	30 Plus	11
Stanley Close	Wednesfield North	30 Plus	9
Vauxhall House	Park	30 Plus	41
Warstones Drive	Merry Hill	30 Plus	10
Wednesfield Road	Heath Town	30 Plus	33
Weston Court	St Peter's	30 Plus	36
Whitmore House	St Peter's	30 Plus	58
William Bentley Court	Heath Town	30 Plus	112

## Appendix B

**Recommendation: Age Designation Applied at age 50 – No change from before the review**

Block	Ward	Current Age Designation	Number of Flats
Chetton Green (Harrowby)	Bushbury North	50 Plus	29
Graiseley Court	Graiseley	60 Plus	15
Grosvenor Court	Wednesfield South	50 Plus	50
Hayling Grove	Blakenhall	60 Plus	16
Hugh Gaitskell Court	Bilston North	50 Plus	56
Lincoln House	Heath Town	50 Plus	41
Masefield Road	Fallings Park	50 Plus	17
Redcotts Close	Fallings Park	50 Plus	27
Shaw Road	Spring Vale	50 Plus	4
The Acres	Tettenhall Regis	50 Plus	10
The Poynings	Tettenhall Regis	60 Plus	4
Tong Court	St Peter's	50 Plus	39
Tremont House	Heath Town	50 Plus	41

## Appendix C

**Recommendation: Age Designation Removed with addition priority in the Allocations Policy for a move to an age designated property**

Block	Ward	Current Age Designation	Number of Flats
Albert Road (Park View Mews)	Park	60 Plus	1
Johnson Street	Blakenhall	50 Plus	6
The Hollows	Ettingshall	50 Plus	21

**Appendix D**  
**Summary of Stakeholder Feedback to Recommendations**

Ward	Block/Ward	Comments	Response
<b>COUNCILLORS</b>			
Bushbury North Ward	Primrose Avenue 83 to 153	Concerns that issues of Anti-Social Behaviour (ASB) take a long time to be dealt with if they should arise post implementation	Pre-tenancy checks and work is done with potential tenants and where identified support is put in place to help sustain tenancies.
Tettenhall Wightwick Ward	Brantley Avenue Bromfield Court Castlecroft Road 204 to 206, 256 to 258a Limehurst Avenue Sandy Hollow	Against the proposals Concerns that issues of ASB will arise and take a long time to be dealt with	To manage the process of change if and when younger tenants move into blocks Estate Managers will be alerted to monitor the situation in case any issues arise.
Oxley Ward	Barley Close Braken Close	Concerned about potential issues arising from inter-generational living and speed of which ASB is dealt with	Data from the ASB team shows between 1 January 2015 to 30 November 2015 of the incidences reported to the Anti-Social Behaviour team relating to high rise flats in the city, 45% related to flats without an age designation, with the majority of incidences, 55%, relating to flats with an age designation.
Merry Hill Ward	Highfield Court St Josephs Court Warstones Drive	Understands the reasons for the proposed changes however does not support the removal of age designations from all the blocks within the city.  Their casework files show that from May 2012, 28 incidents of ASB have been reported from 24 residents. Of those 28 cases, 19 have featured a strong element of age-related issues or cross-generational incompatibilities.	For this same period 32% of reported incidences related to people aged 17 – 35, with the majority, 52% relating to people age over 35 years (the remaining 16% were unknown).

Tettenhall Regis Ward	Field Head Place 7 to 11, 25 to 30, 49 to 54 Lower Street 22 to 44 Regis Road 37 to 39a	Against the proposals Strong concerns that mixing the over 50's with younger people leads to conflict because of the different lifestyles they lead, often having to be resolved by Councillors Believes the blocks are popular and fully occupied, with potential changes causing numerous problems in what are now settled and happy communities	Within this ward leaseholders are in the majority within blocks, to whom age designations do not apply. This would therefore outweigh any age designations on the Council tenancies that remain. To manage the process of change if and when younger tenants move into blocks Estate Managers will be alerted to monitor the situation in case any issues arise.
Spring Vale Ward	The Mews	Requested that the maisonettes in Fozdar Crescent remain as 50+ as residents are part of the social complex at the Mews.	There are 5 properties at Fozdar Crescent; 9, 20, 22, 29 & 35, where it is recommended that the age designation is removed.
<b>TENANT MANAGEMENT ORGANISATIONS</b>			
Bushbury South and Low Hill Ward	Cannock Road 7 to 25a 29 to 59c 71 to 73c	Older, settled community within these blocks. Where younger residents have moved in in the past, it has been unsuccessful. Currently have issues around ASB and are seeking possession.	The review is centred around the removal of age designations, with only those blocks that meet a set and justified objective as set out at 4.7 of the main report having an age designation going forward. This is in order to meet the Public Sector Equality Duty as set out in the Equality Act 2010. This has been applied to all properties covered as part of the review, which recommends that age designations are removed from these properties.
Oxley Ward	Barley Close Braken Close	Because of low demand from older applicants Braken Close properties have been let to households under the age designation limit for a number of years. This has proved relatively successful. Barley Close has a longstanding settled community of older residents. Where a younger tenant has moved in in the past, this did not particularly work well. The board felt that it would be preferable to keep AD on this block and await the feedback tenants.	
<b>WOLVERHAMPTON FEDERATION OF TENANTS ASSOCIATION</b>			
City Wide	City Wide	The Federation supports the proposals in broad terms i) It is concerned that it is a sensitive issue in some blocks and areas and feels there should be a thorough block by block consultation	i. A policy has been developed in light of the review that has to be compliant with the Equality Act 2010. In order to meet the Public Sector Equality Duty, the Council needs to

		<p>ii) Concerned that in the past some properties in designated blocks have been let to tenants below the age requirement so feel that there needs to be a clear policy laid out where for instance there is no demand from the applicants of the required age</p> <p>iii) Concerned that any age restriction should apply to all residents including lodgers.</p>	<p>demonstrate that it has given due regard to the need to eliminate discrimination, advance equality and foster good relations in respect of age for their housing functions. To discriminate in the letting of housing the Council must show good reason. The review is centred around achieving this objective.</p> <p>ii. Currently the Allocations Policy allows lettings of Age Designation to people under the qualifying age (32.1 &amp; 32.2). The new policy will restrict access to age designated blocks to the qualifying age, as far as the law allows.</p> <p>iii. The Council cannot restrict a tenants right to take in a lodger or say who that is, as it is enshrined in the Housing Act and the Council's tenancy agreement</p>
<b>TENANTS</b>			
Park Ward	Connaught House	<p>Concerned about the impact on older residents within the block.</p> <p>Had issues with younger tenants in the past, specifically a tenant who was arrested for drug dealing</p> <p>Requested to know what references are taken from tenants in order to avoid such ASB arising.</p>	<p>Applicants are asked to complete questions on the housing application including if they owe arrears, have been evicted from a previous tenancy for arrears or other breaches.</p> <p>If successful in a bid for a property checks are undertaken including addresses for the last ten years, any changes of name, debts or anti-social behaviour with the Council or Housing Association and/or references from private landlords.</p> <p>Where appropriate an applicant may be given lesser preference in terms of the level of priority they are awarded when bidding for housing (the lowest level of priority). Where the behaviour is</p>

			serious enough to make them unsuitable to be a tenant they could be excluded from the housing register and so unable to bid for housing.
Graiseley Ward	Merridale Court	The potential for young people to be allocated flats raises concerns for the harmony of Merridale Court which exists due to the mature age of its residents.	Pre-tenancy checks and work is done with potential tenants and where identified support is put in place to help sustain tenancies.
Graiseley Ward	Merridale Court	<p>Concerned that the introduction of younger people will disturb what is a happy and majority older people community and that it is the wrong move to make to simply find accommodation for people to live.</p> <p>Suggests the introduction of younger people onto the estate will cause problems e.g. crime and alcohol related disturbance.</p> <p>Concerned about the amount of time it takes to deal with ASB cases, whilst residents have to live with the disturbance.</p> <p>Would like Merridale Court to be treated like former sheltered blocks.</p>	<p>To manage the process of change if and when younger tenants move into blocks Estate Managers will be alerted to monitor the situation in case any issues arise.</p> <p>Data from the ASB team shows between 1 January 2015 to 30 November 2015 of the incidences reported to the Anti-Social Behaviour team relating to high rise flats in the city, 45% related to flats without an age designation, with the majority of incidences, 55%, relating to flats with an age designation.</p> <p>For this same period 32% of reported incidences related to people aged 17 – 35, with the majority, 52% relating to people age over 35 years (the remaining 16% were unknown).</p>
Heath Town Ward	Lincoln House (no change)	<p>Supportive of the age designation being reinstated at the block however in the past people younger than the age designation have been let properties. Would prefer for the age designation to be kept to.</p> <p>Also complained about an increase in the number of alcoholics living in the building and related ASB, which has meant that older longstanding tenants no longer use the communal room or leave their flats in the evening.</p>	<p>Flats in former sheltered blocks have been restricted to those above the age designation with no lets to younger applicants.</p> <p>Concerns around the current tenants have been referred to the Estate Manager for investigating and addressing where appropriate.</p>



<p>Heath Town Ward</p>	<p>Longfield House</p>	<p>Raised a number of concerns:          They took their flat on because of the age designations in place          Do not feel a fair assessment of peoples' views can be taken as not everyone has access to internet and email.          Believe that bringing young people into the block will bring disturbance, ASB and crime in their own properties and public spaces (lifts /halls etc.). This in turn will have reputational damage for Heath Town.          Believes moving younger people in could affect public spaces in the area          Could have a detrimental impact on the elderly or vulnerable leading to isolation.          Would like to see the reasons why age limits were introduced and if these problems have been eradicated          Suggests trialling a block for under 30s to address the shortage of properties and pressure to house people.</p>	<p>The Council's Allocation Policy reserves the right of the Council to undertake 'Periodic reviews of designations ... to ensure that the Council is able to react to changes in supply and demand', (32.3).          The majority of tenants were written to inform them of the recommendations. Tenants of former sheltered properties were visited door to door or via a block meeting. Tenants were given contact details in the form of an email address as well as a telephone number to provide feedback or ask questions. A number of calls have been taken.          Longfield House is a 30 years plus block and so doesn't provide housing exclusively for older people. There are a number of blocks within the Heath Town estate where age designations already do not apply.          Two blocks (82 flats) within Heath Town will have an age designation of 50 to provide an environment whereby older people would like to live together.          This process aims to put in place policy to provide a consistent approach to age designations. As there was no previous policy it is not possible to give the reasons why decisions were made in the past.          It is not anticipated that ASB will significantly increase however if there is a sudden increase in ASB reporting in blocks where the age designation had been removed, the ASB Team would carry out preventative work in conjunction</p>
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			with partner agencies.
Heath Town Ward	William Bentley Court	Concerned about the impact on older residents within the block. Have had issues with younger people previously for example graffiti in foyer and police visits Asked for information on how ASB will be managed to safeguard older tenants.	<p>Wolverhampton Anti-social Behaviour (ASB) Team aims to:</p> <ul style="list-style-type: none"> <li>·Provide an impartial service to the residents and business of Wolverhampton</li> <li>·Encourage the reporting of incidents of ASB</li> <li>·Ensure that incidents of ASB are reported, accurately recorded and monitored</li> <li>·Ensure that early action is taken to prevent the escalation of nuisance behaviour into serious ASB</li> <li>·Support victims, their families and witnesses</li> <li>·Advise victims and witnesses of the services that the City of Wolverhampton Council, Wolverhampton Homes and partner agencies can provide and signpost or refer to support services as appropriate</li> <li>·Take a victim orientated approach when dealing with complaints</li> <li>·Fully investigate complaints of ASB and deal with them within the given timescales</li> <li>·Ensure that actual and potential perpetrators of ASB are aware of the consequences of their actions</li> <li>·Take legal action against the perpetrators where it is proportionate and where there is sufficient evidence to do so</li> <li>·Encourage a multi-agency approach to dealing with casework and finding resolutions to ASB</li> </ul>

			<p>·Ensure all relevant officers are fully trained to be able to deal with complaints of ASB ·For the most vulnerable victims of ASB, make a referral to the ASB Team’s Victim and Witness Support Officer Proposed service standards for responding to complaints of ASB:</p> <ul style="list-style-type: none"> <li>• Category A: Serious (e.g., harassment/intimidation, criminal activity such as assault, arson or theft, domestic violence, hate related incidents and hate crime) - complainant contacted within 1 working day</li> <li>• Category B: Persistent (e.g., damage to property or vandalism, noise in council tenancies, general nuisance including groups of people causing problems, drug related activity) – complainant contacted within 3 working days.</li> <li>• Category C: Nuisance (e.g., animal related nuisance in WH tenancies, fly tipping, graffiti) - complainant contacted within 5 working days</li> </ul>
Heath Town Ward	William Bentley Court	<p>Mainly took on flat because of the conditions in place; for over 30's only, no children under the age of 18 and only working couples who can prove a 10 year background check of where they had previously lived. Concerned removing age designations will be detrimental</p>	<p>The Council’s Allocation Policy reserves the right of the Council to undertake ‘Periodic reviews of designations ... to ensure that the Council is able to react to changes in supply and demand’, (32.3). The Council has no policy on giving priority for housing to those in work.</p>

Heath Town Ward	William Bentley Court	<p>Agrees that everyone has to live somewhere, however feels that mixing people in their twenties with those 50+ will lead to problems e.g. noise disturbance from music and families as well as people with alcohol and substance misuse issues.</p> <p>Believes a number of residents have taken tenancies in the block because of the age designation.</p>	<p>As above - ASB, disturbance and noise can not only be attributed to young people. ASB statistics shows perpetrators most likely to be over 30. It is not anticipated that ASB will significantly increase however if there is a sudden increase in ASB reporting in blocks where the age designation had been removed, the ASB Team would carry out preventative work in conjunction with partner agencies.</p> <p>The Council's Allocation Policy reserves the right of the Council to undertake 'Periodic reviews of designations ... to ensure that the Council is able to react to changes in supply and demand', (32.3).</p>
Heath Town Ward	William Bentley Court	<p>Writing on his and other tenants behalf.</p> <p>They have lived through 5 years of building works including a temporary decant and feel they have endured this for the benefits it would bring and their commitment to the block. The proposal to remove the age designation has created "dismay, disappointment, annoyance, and indeed despair in a lot of the residents".</p> <p>Tenants are concerned that lowering the age limit will result in younger people coming into the block, who will see it as a temporary stop-gap and have no loyalty to maintaining the new standards e.g. they will bring "graffiti on the walls, playing of loud music, drug use onsite, fighting, anti-social behaviour, and general disruption to long standing residents". This is based on their experiences prior to age designations.</p> <p>They appreciate the accommodation needs of the city but would prefer to maintain their age designation.</p>	
Heath Town Ward	William Bentley Court	<p>Initial confusion that the policy was to discriminate against age. On speaking with the tenant he was satisfied that the recommendations were a fairer approach and removed discrimination.</p>	
Merry Hill Ward	St Josephs Court	<p>Strongly oppose the proposal. Also writing on behalf of their mother who lives in the same block.</p> <p>They state they live within a poor environment and</p>	<p>As above - ASB, disturbance and noise can not only be attributed to young people. ASB statistics shows perpetrators most likely to be over 30. It is</p>

		<p>experience disturbance and ASB, which they believe will get worse if age designations are removed.</p>	<p>not anticipated that ASB will significantly increase however if there is a sudden increase in ASB reporting in blocks where the age designation had been removed, the ASB Team would carry out preventative work in conjunction with partner agencies. Comments on current issues within the block have been passed on to the Estate Manager.</p>
Merry Hill Ward	St Josephs Court	<p>Understands the balance that needs to be struck in order to house those in housing need as well as make best use of stock, however sees the need for older peoples housing in order to create an environment where potentially vulnerable people can feel safe and secure. Ways of doing this are suggested for example:</p> <ul style="list-style-type: none"> <li>i. Wolverhampton Homes making a concerted effort to promote the block as an age-exclusive premises.</li> <li>ii. Like Bristol introducing an entire area reserved for mature tenants for example by Wolverhampton Homes working with local housing associations to create a new area, which can cater for very mature residents. Including new and remodelled schemes - not sheltered.</li> </ul> <p>Believes the Council should implement a plan to rehouse (with strong financial support) older tenants who may feel threatened if the lifting of age restrictions is implemented.</p>	<p>The block has an age designation of 30 years. It is not therefore currently reserved for mature/older people.</p> <p>There is a range of older persons housing in the city offered by housing associations, in addition to the current Council designated property. Demand for this housing is relatively low.</p> <p>The Council is currently working with stakeholders to simplify the pathways into various older peoples housing in the city, better promote what is available and is considering options to remodel or develop modern older peoples housing.</p>
Merry Hill Ward	St Josephs Court	<p>Calls for the proposals to be rejected and instead implement an approach similar to Birmingham. Believes that high-rise accommodation could be used to create attractive housing for older people that would free up under-occupied housing for younger people. “Birmingham City Council has converted more than 20 high-rise blocks into ‘vertical warden schemes,’ choosing</p>	<p>Whilst there is a need for older peoples housing in the city, which the Council intends to provide (in part) this needs to be proportionate to balance the needs of older people with the rest of those in housing need.</p> <p>As above - ASB, disturbance and noise cannot</p>

		<p>blocks with at least two lifts in areas without steep slopes and near to doctors, chemists' shops, post offices and bus stops" Quoted insidehousing.co.uk. Believed moving younger people into these blocks will cause ASB and disturbance as well as cause distress to older vulnerable tenants. How will the situation be monitored? Do not have faith in the available options to address any issues that arise as they say there are instances of tenancy breaches which are not addressed e.g. dogs, laminate flooring, ASB There will be added pressure on health and social services through ill health caused by stress and associated illnesses.</p>	<p>only be attributed to young people. ASB statistics shows perpetrators most likely to be over 30. It is not anticipated that ASB will significantly increase however if there is a sudden increase in ASB reporting in blocks where the age designation had been removed, the ASB Team would carry out preventative work in conjunction with partner agencies.</p> <p>It is unlikely that there will be an influx of young people into a block. As and when younger people and/or families move into a block, Estate Managers will be notified to monitor and address issues if they arise. As the policy is implemented it will be monitored based on a range of information including feedback from Estate Managers, ASB Manager, management information and periodic reviews including Equalities</p>
<p>Merry Hill Ward</p>	<p>St Josephs Court a) Tenants comments</p>	<p>Strongly objects to lifting age limits from St Joseph's Court. Suggests the other 2 blocks on site have a terrible reputation and general ASB i.e. loud music and drug taking etc. Believes St Joseph's Court already has problems with anti-social behaviour that will be made worse if the age limit is removed. If the recommendations are voted through they have asked the Council to make re-housing of residents affected an easy process and offer compensation for monies spent by tenants on their flats. Suggest tenants like him have accepted the tenancy</p>	<p>The Council's Allocation Policy reserves the right of the Council to undertake 'Periodic reviews of designations ... to ensure that the Council is able to react to changes in supply and demand', (32.3).</p> <p>As above - ASB, disturbance and noise cannot only be attributed to young people. ASB statistics shows perpetrators most likely to be over 30</p> <p>Comments on current issues within the block have been passed on to the Estate Manager.</p>

		<p>mainly because there was such an age limit so view this as an implied term of the tenancy agreement.</p>	
<p>Merry Hill Ward</p>	<p>St Josephs Court b) Additional comments received from MP as they had been copied into email from tenant above</p>	<p>Applying or removing age restrictions in relation to certain properties is a matter of policy for the local authority. Authorities have discretion to revise and amend their housing allocation schemes. Similarly they must be robust enough to stand up against any legal challenge by residents.</p> <p>The Equality Act, which gained Royal Assent on 8 April 2010, extended age discrimination provisions to the area of goods and services but did not extend the provisions to cover letting of premises.</p> <p>On the other hand, there are many examples of housing provision exclusively for people in a particular age range, which we would probably regard as desirable and would want to preserve it. Age limits may be imposed to meet the needs of disadvantaged groups or to cater for the preferences of individuals who simply wish to live exclusively with people of a similar age. If we included age in the ban, those age limits would have to be objectively justified. Since we did not find evidence of harm from the exclusion, we did not think that this was necessary. (PCB 18 June 2009 c366)</p> <p>The Allocations Policy must be legally applicable under the Equalities Act. The justification for the removal of age designations will need to be robust enough to stand up to legal challenge and thus an Equalities Analysis will need to be undertaken to ensure obligations under the Equalities Act are satisfied.</p>	<p>Anti-age discrimination provisions are not extended to accommodation as referred to in paragraph 4.13. Part 4 of the Equality Act that deals with accommodation and Section 32 makes it clear that Part 4 does not apply where the protected characteristic is age. This means that it is not unlawful to discriminate on the grounds of age in the disposal and management of accommodation. However, the Council is subject to the Public Sector Equality Duty, which plays a key role in ensuring that fairness is at the heart of public bodies' work and that public services meet the needs of different groups. It also requires public bodies to think about how they can eliminate discrimination, advance equality of opportunity and foster good relations for all protected groups. The implementation of age restrictions on lettings therefore needs to be objectively justified.</p> <p>An Equality Analysis has been undertaken on age designations. Whilst provisions within the Equalities Act were not extended to age in terms of the disposal of premises (accommodation), the Equality Analysis also highlighted other areas where by it is appropriate for the removal of age designations in their current form to remove discrimination for example the impact on women.</p>

<p>Merry Hill Ward</p>	<p>St Josephs Court</p>	<p>The tenant does not support any changes to the present age-designation The changes will cause an increase in ASB Wolverhampton Homes does not have a sufficiently robust approach to anti-social behaviour or capacity to deal with more cases The reduced concierge service at the Merry Hill flats is also unhelpful because there is less monitoring of the buildings and environment More needs to be done to vet any potential tenants to ensure they are suitable tenants</p>	<p>As above - ASB, disturbance and noise can not only be attributed to young people. ASB statistics shows perpetrators most likely to be over 30. It is not anticipated that ASB will significantly increase however if there is a sudden increase in ASB reporting in blocks where the age designation had been removed, the ASB Team would carry out preventative work in conjunction with partner agencies. A range of checks are undertaken before a property is let: Applicants are asked to complete questions on the housing application including if they owe arrears, have been evicted from a previous tenancy for arrears or other breaches. If successful in a bid for a property checks are undertaken including addresses for the last ten years, any changes of name, debts or anti-social behaviour with the Council or Housing Association and/or references from private landlords. Where appropriate an applicant may be given lesser preference in terms of the level of priority they are awarded when bidding for housing (the lowest level of priority). Where the behaviour is serious enough to make them unsuitable to be a tenant they could be excluded from the housing register and so unable to bid for housing.</p>
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Spring Vale Ward	Shaw Road	Queried why there are already tenants younger than the designated age living in the block. Stated a preference for the block to remain age designated.	Based on the current policy, where no eligible tenant has applied for the property, then the Allocations Policy allows it to be allocated to someone outside the age limit, but as close to it as is possible. As a result, younger people can potentially be let property in age designated blocks.
Tettenhall Wightwick Ward	Brantley Avenue	Called to clarify if they were the right age for their block. Once the proposals were explained the tenants stated they thought it was a good idea.	
Tettenhall Wightwick Ward	Bromfield Court	Agreed in general with the principle and understood the need to increase the availability of accommodation available to those in need however was concerned that within her block there were some particularly old tenants and if young people, those with children or those from a different culture moved in could present a clash of lifestyle and lead to isolation of the older tenant. Did recognise that a mix of ages may support those in the block for example she sometimes felt isolated because of the large number of older people within the block. Would prefer it at 30 or at least 20 to avoid young and children.	To manage the process of change if and when younger tenants move into blocks Estate Managers will be alerted to monitor the situation and address issues if they arise.  Allocation of property must be done in accordance with the Equality Act 2010.
Tettenhall Wightwick Ward	Sandy Hollow	Against the proposal to remove age designations. Believes this will lead to upset and distress to mature and elderly tenants as it will leads to “ loud music, young children and anti-social behaviour”. Requires more information on the options in place to ensure the effective management of Council housing	As above - ASB, disturbance and noise can not only be attributed to young people. ASB statistics shows perpetrators most likely to be over 30 It is not anticipated that ASB will significantly increase however if there is a sudden increase in ASB reporting in blocks where the age

Tettenhall Wightwick Ward	Sandy Hollow	In the block the residents lives in “5 out of the 6 residents are over 70”. Whilst they appreciate the need for change they ask for consideration of the tenants ages for sensible allocations in the future.	designation had been removed, the ASB Team would carry out preventative work in conjunction with partner agencies. Allocation of property is made in line with the Allocation Policy; those that are eligible are free to bid. Those that apply are shortlisted based on their priority.
Not Provided	Not Provided	Would prefer to keep the age limits as it is. There is an older settled community in the area. Believe removing the age limits will increase criminality in the area. Suggests the Council have been discriminating against younger people for years and are making these changes to rectify this mistake.	As above - ASB, disturbance and noise cannot only be attributed to young people. ASB statistics shows perpetrators most likely to be over 30. The Equality Act allows the Council to discriminate on age for the purposes of letting property. There is increasing demand for smaller units from families. Age designations are disproportionate based on need. At the same time the Council also has a duty to demonstrate that it has given due regard to the need to eliminate discrimination, advance equality and foster good relations. Taking all things together a series of recommendations have been made.