

Brighton & Hove City Council

Cabinet

Agenda Item 76(c)

Subject: Deputations

Date of meeting: 17 October 2024

A period of not more than fifteen minutes shall be allowed at each ordinary meeting of the Council for the hearing of deputations from members of the public.

Notification of a further Deputation has been received. The spokesperson is entitled to speak for 5 minutes.

2) Deputation: Housing Allocations Policy 2025

When you consider the policy, it often feels like one step forward two steps back—a sham dressed up in bureaucratic language and cloaked in misleading / leading consultation process & results.

While some elements should be praised, the time given to read, digest, and respond to this policy is woefully inadequate. The so-called “Equality Impact Assessment” is nothing more than a tick-box exercise designed to push through changes that target vulnerable residents, not help them.

This isn’t about creating better housing opportunities. It’s about making the problem of housing need disappear whereas what the policy consultation process failed to do was reach the very people affected and co-develop a more diverse list of areas to improve the policy.

A few areas to improve and note:

Income Caps and Reassessment Opportunities: The council’s revised income caps—£28,000 for a one-bedroom home, £36,000 for a two-bedroom, and £43,000 for a three-bedroom—are a positive step, better reflecting local costs. We feel

Cash Incentives only for Downsizing: Are A Missed Opportunity The council has increased cash incentives for under-occupying households willing to downsize,

which is a positive move. However, the incentives could be larger to make a more meaningful impact, as under-occupation is a chronic issue. A real plan, strategy, and clear Key Performance Indicators (KPIs) are needed to address this problem effectively.

The Under-Occupancy Scandal: Opportunities Missed The council wants large families to cram into homes that are too small, while turning a blind eye to those under-occupying larger properties. Households of just one or two people remain in four-bedroom homes, while families of six are squashed into two- and three-bedroom flats.

The EIA admits they “considered encouraging downsizing” but dismissed it as having “little impact.” What a wasted opportunity! **Flawed Consultation Process**

The consultation was a farce, carefully orchestrated to ensure the results aligned with the council’s agenda. Who were most respondents? Those aged 45-64—people who aren’t directly affected by these changes. The demographic most impacted, aged 20-49 and those experiencing homelessness, barely got a look-in. More homeowners than homeless replied... How can a policy be fair when it’s crafted by people who have no stake in it?

Where Have the Properties Gone?

Between September 2023 and 2024, 81 two-bedroom properties were listed as available for transfers. Only 32 families were housed. The rest? Who knows? Bids are mysteriously disappearing, properties are being held back, and the system has become impossible to navigate. There's no accountability, no transparency, and no answers for the families left wondering where they stand.

Removal of Band A Priority: Adding Insult to Injury One of the most disturbing changes is the removal of Band A priority for families whose temporary accommodation is repossessed by landlords. These households are now thrown back into the general pool, losing all priority and being set adrift in a sea of competition for scarce properties. Is this even legal? Certainly not moral. It's a blatant strategy to reset the clock on housing applications.

Labour Party's Legacy of Displacement This isn't new. Labour's 2016 housing allocations plan resulted in over 15,000 households being unjustly removed from the register. Now, in 2024, the new Labour-majority council is going even further. Families are being socially cleansed, forced out of Brighton, and pushed into desperation.

Mobility Focus: A Convenient Blind Spot While the council boasts about accommodating those with mobility needs, they've conveniently ignored residents with non-mobility-related disabilities. There's barely a mention of those with mental health issues, neurological conditions, or chronic illnesses that don't affect physical movement. It's a glaring omission and many service users call indirect discrimination, and worse, the system is opaque about who even makes these decisions. The identity and qualifications of the "medical officer" assessing these cases are kept hidden, leaving applicants in the dark about how their needs are judged.

So, What's Really Going on Here? This policy isn't about helping those in need; it's about making the council's statistics look better. Instead of creating more social housing at affordable social rents, they're shrinking the housing register and pushing people out of the city. The council needs to stop shuffling people around like chess pieces and start focusing on real solutions: building more homes, addressing under-occupancy, and protecting those most at risk. This policy is an attack on Brighton's most vulnerable without our recommendations seriously considered as a viable means to strengthen the policy and extended safeguards and commitments to service users.

Supported by:

Magdalena Okeke

Zarcha Grami

Amy White

Nemone Turner

Juliette Mottram

Summa Watson

Benjamin Rozario

Bridget Ismail

Charlie Cook

Justine Wakelin

Katie Wade

Rose Bliss

Matt Cook

Cassie Scaife

Patrycja Zubelik

Susie McCarthy

Daniel Harris (Lead Spokesperson)

Lauren Coveley

Supporting Information:

HOMEMOVE ACTION GROUP EVIDENCE & RECOMMENDATIONS

Issue: The current policy suffers from a lack of transparency, leaving applicants without clear information on the housing process, the criteria for decisions, or how they can challenge outcomes. This results in confusion, frustration, and a sense of exclusion for applicants who feel they are left in the dark.

Evidence: Inadequate Information in Housing Adverts:

Housing adverts often lack key information that applicants need to make informed decisions, such as room sizes, floor plans, and Energy Performance Certificate (EPC) ratings. This limits applicants' ability to evaluate the suitability of properties before bidding.

The current policy highlights digital accessibility and online applications, but does not mandate comprehensive information in housing adverts, such as EPC ratings or detailed property descriptions.

Feedback on Allocations: Publishing a detailed list of let properties on a separate page, including their band, accepted reason code, banding date, & the date they were let, would significantly improve transparency.

Recommendations:

- Commit to More Detailed Mandated Adverts.
 - Publish detailed monthly / quarterly reports on housing allocations areas above in homing online for everyone to see and in magazine / area panels. These changes would enable applicants to make more informed choices and understand how decisions are being made. The introduction of a clear communication strategy that explains decisions in detail, including reasons for rejections or downgrades, is also essential.
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Issue: The **Housing Allocations Policy 2025** often reflects a tone of rigid bureaucracy, leaving little room for compassion or understanding of the complex situations applicants face. This creates a system that feels punitive and inaccessible, particularly to the most vulnerable groups.

Evidence: Strict Enforcement of Rules: The policy mandates that applicants who refuse two reasonable offers of accommodation within a two-year period may have their applications closed, without the possibility of further review. This approach punishes applicants without considering the nuanced reasons they may have for refusing a property.

Quote from Policy: *"If two reasonable offers of accommodation are refused within a two-year period, their application will be closed."* **Quote from Policy:** *"If an applicant does not bid within [the set timeframe], the council may deem them to have failed to engage with the allocations process."*

Recommendation: As above, officers need to be clearer on communication strategy. Closed cases should all be referred to a reviewing panel.

Issue: There is a **lack of accountability** within the housing allocations process. Decisions, especially those with significant consequences like the termination of housing duty or exclusion from priority bands, are made without sufficient oversight or recourse for applicants to challenge them.

Evidence: No Designated Role for Policy Oversight: The policy lacks a designated individual or office responsible for ensuring compliance and fairness. As a result, applicants have no clear path for escalating complaints or holding someone accountable when the system fails them. **Quote from Policy:**

"The current policy does not assign responsibility for overseeing the implementation of housing allocations, nor does it provide a mechanism for escalating concerns."

Limited Appeal Mechanisms: While the policy allows for some appeals, the process is not transparent or easily accessible, particularly for vulnerable applicants. The absence of a formal review for critical decisions, such as ending housing duty, leaves many applicants without the ability to contest life-changing outcomes. **Quote from Policy:** *"There is no automatic review process for decisions to end housing duty, and appeals must be lodged within a limited timeframe, often leaving applicants at a disadvantage."*

Recommendation: We propose the council is clear who is responsible for overseeing the fair application of the policy. Additionally, an **independent panel**—including individuals with **lived homelessness experience**—should be established to review key decisions, complaints, and systemic issues. This panel should be empowered to **request case reviews** and enforce **accountability** where necessary. All decisions to end duty or refuse a housing offer should undergo a **formal review** by an independent panel.

Clear Consequences for Non-Compliance:

Where the policy is not upheld, there should be clear consequences for those responsible. This could include **performance reviews**, the establishment of **improvement plans**, and, in severe cases, **disciplinary action**. Holding individuals accountable will ensure that the policy is consistently enforced in a fair and transparent manner.

Allowing Underbidding for 3-Bedroom Applicants to Take a 2-Bedroom: This suggestion proposes enabling applicants who need a 3-bedroom property to bid on 2-bedroom homes. This could potentially address housing shortages by offering more flexibility. The proposed new policy proposes to allow households needing 4 or more bedrooms to bid on properties with one less bedroom, under certain conditions.

Surveying Voids and Showing Potential for Extensions/Refits:

Surveying all void properties for the potential to extend or refit them would ensure that they are maximised for future use, especially for those with mobility or accessibility needs. Displaying this potential in housing adverts could help applicants make informed decisions. The current policy already refers to adapted properties and mobility classifications, but this suggestion would expand the information available, ensuring transparency about how homes might be modified.

Introducing a Band A+ for Severe Cases: Adding a Band A+ would formalise a higher level of priority for severe cases, allowing them to be tracked more transparently and offering a clear pathway for applicants in urgent need. Currently, Band A is the highest level of priority, awarded in cases of overriding medical priority or severe housing need. A Band A+ would provide a structured way to handle exceptional cases while maintaining transparency in decision-making.

Stricter Criteria for Medical & Mobility Group Assessments: Expanding mobility assessments to include applicants with physical, mental, or neurodivergent conditions would align with existing efforts to support those with significant non-physical needs which impact mobility. The current policy already provides for mobility decisions and medical assessments based on the impact of housing conditions on physical health. However, we suggest an empathise on transparency and accountability in addition by requiring clear reasons to be logged when mobility is not awarded. For example, a personal independence payment assessment criteria for mobility includes elements for all these areas. Better recording of in house and care assessment needs including better recording of impact on day-to-day issues.

Regular Policy Reviews and Service User Feedback:

Issue: "Gotcha clauses" can arise when policies are not regularly reviewed or adjusted in line with service user feedback, leading to rules that no longer reflect the realities faced by applicants.

Solution: Annual Policy Reviews: The council should conduct annual reviews of the Housing Allocations Policy, with a particular focus on rules that may disadvantage applicants. These reviews should actively seek out areas where "gotcha clauses" could exist and adjust the policy accordingly.

Service User Involvement: Invite service users (applicants and current tenants) to participate in policy reviews through surveys, focus groups, or advisory panels. This ensures that the applicant's perspective is considered in any rule changes.

Remediation: If a particular rule is found to be causing unintended harm, it should be amended or removed from the policy. Applicants affected by the rule should be notified and compensated, where appropriate (e.g., restoring banding, reinstating them on the waiting list).
