

Report to Housing Scrutiny Panel

Date of meeting: 21 October 2014

Portfolio: Housing – Councillor D. Stallan

Subject: Review of the Housing Allocations Scheme

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Recommendations/Decisions Required:

- (1) That, as part of its Work Programme, the Housing Scrutiny Panel carries out a 12 month Review of the Housing Allocations Scheme and considers the suggested amendments to the Scheme set out at Appendix 1 and Appendix 2 of the report;**
- (2) That, following the agreed amendments being incorporated into the draft Housing Allocations Scheme, the Scheme be considered by an external Legal Advisor;**
- (3) That any advice given by the external Legal Advisor be incorporated into the draft Scheme and a consultation exercise be undertaken, in accordance with Statutory Guidance, with the Tenants and Leaseholders Federation, Registered Providers of Housing operating in the District, Local Councils and partner agencies with an interest in the Scheme;**
- (4) That, although the external legal advisor previously advised that the consultation period referred to in Recommendation (3) should be for a period of 12 weeks, this be reduced (in accordance with the associated advice that this is reasonable should the Council have good reason for choosing a shorter period) to 10 weeks, due to the reasons set out in Paragraph 23 of the report, which is predominantly due to the timing of the re-newal of the contract for the administration of the Choice Based Lettings Scheme;**
- (5) That, due to the lengthy consultation period and the required implementation work, including all homeseekers needing to update their information on-line, the target date for the revised Scheme coming into force be 1 July 2014;**
- (6) That the next review of the Scheme be considered by the Panel following 2 years of operation; and**
- (7) That the Housing Scrutiny Panel submits a report on the proposed revised Scheme to the April 2015 meeting of the Cabinet for consideration.**

Report:

Background

1. The Council is legally required to have a Housing Allocations Scheme for determining priorities and the procedure to be followed in selecting a person for accommodation, or nominating a person to be a tenant for accommodation held by another Registered Provider of social housing (e.g. Housing Association). In addition, the Council's Housing Allocations Scheme historically states who will and will not be admitted onto the Council's Housing Register.

2. At its meeting on 15 April 2013 (Minute 139 refers), the Cabinet considered a report of the Housing Scrutiny Panel, presented by the Chairman, on a proposed new Housing Allocations Scheme. It was reported in summary that, under Government Guidance, authorities are given powers to decide locally how accommodation should be allocated based upon local priorities. The Cabinet noted that local authorities are empowered to allocate their accommodation in any way they see fit, provided schemes are both legal and rational.

3. Due to these additional powers, the last review was potentially the most comprehensive ever undertaken. A copy of the draft Housing Allocations Scheme was considered by an external Legal Advisor, being a QC specialising in housing law. The Legal Advisor stated "in my opinion the Draft Housing Allocations Scheme is lawful". The revised Scheme came into force on 1 September 2013.

12-Month Review of the Housing Allocations Scheme

4. When adopting the new Scheme, the Cabinet asked that an Item be included in the Scrutiny Panel's Work Programme for 2014/2015, to undertake a 12 month Review of the Scheme, hence the need for this report. The Panel is therefore asked to review the Scheme, in order to consider whether any further changes are required, and to submit a report to the Cabinet on the outcome of its review and any recommended changes.

The Housing Portfolio Holder's Initial Views

5. The Housing Portfolio Holder has held informal discussions with Cabinet colleagues to help inform his initial views on the major aspects to be considered under the 12 month review. He considered this essential, as it gives the Scrutiny Panel and officers direction on the general approach to be taken in reviewing both the Council's Housing Allocations Scheme and Tenancy Policy (the subject of a separate report to the Housing Scrutiny Panel) in an effort to prevent any unnecessary work and any recommendations being put forward to the Cabinet by the Scrutiny Panel that would not be supported.

6. As a result of these informal discussions, the Housing Portfolio Holder made a formal decision that, under the 12 month review, the Scheme should be amended based on the Cabinet's initial views. Set out at Appendix 1 are the Housing Portfolio Holder's initial views along with the background on each issue, and where appropriate, officers' suggested options and/or recommendations. When considering his decision, the Housing Portfolio Holder took into account the approach taken by 6 other Essex Authorities which are set out in the table attached at Appendix 3.

7. In addition, some further less substantial changes suggested by officers are set out at Appendix 2.

8. The Scrutiny Panel is asked to consider the Housing Portfolio Holder's initial views, contained within his Portfolio Holder decision, and to advise the Cabinet of any issues with which they disagree, so that the Cabinet can consider these issues when considering the adoption of the proposed changes.

9. The Scrutiny Panel is also asked to consider the following two matters:

District responsibilities for Corporate Parenting

10. The Council has received a letter from Essex County Council's Director of Delivery (West). The letter raises concerns that due to increased discretion under the Localism Act, when housing allocations schemes are framed by Local Authorities some highly marginalised groups could fall through the gaps. The County Council asks if there could be more flexibility in the Council's Housing Allocations Scheme "in relation to care leavers for whom the District

Council does share corporate parenting responsibilities”. Set out below are the flexibilities suggested by the County Council and the officer response:

Setting aside a quota of properties for care leavers

11. Care leavers are those who are leaving Foster Care having reached 18 years of age. The Council works very closely with the National Association for Care and Resettlement of Offenders (NACRO) to assist such people. This scheme is known locally as the Single Accommodation For Epping Forest (SAFE). There are 39 bed spaces available for single homeless people who require support. Some of these units of accommodation have been provided for Essex care-leavers and will continue to be provided depending upon need.

12. If the Council were to set aside accommodation specifically for care leavers, the concern is that they may not be able to sustain a secure tenancy on a permanent basis in the first instance. The current intention is that when a young person has completed their stay and benefitted from the support under the SAFE project, then they would have better prospects of sustaining a tenancy thereafter.

13. Officers consider that the service currently provided to care leavers meets with their needs and no further changes to the Scheme are necessary.

Not to apply the Residency Criteria to care leavers

14. In order to be eligible for housing with NACRO (SAFE) a person must be currently resident in the District for one year unless there are exceptional circumstances. It is possible that a care leaver with links with the District Council to be considered for such accommodation under exceptional circumstances where they do not meet the Residency Criteria. In order for a SAFE resident to be moved on into Council accommodation, 3 years residency is currently required. However, it is possible that a SAFE resident could stay for the 3 years in exceptional circumstances in order to meet the Council’s Residency Criteria. At the end of their stay, one offer of Council flatted accommodation would generally be made in accordance with Appendix 4 of the Council’s Housing Allocations Scheme. If the offer is refused, the Council will make no further offers of accommodation.

15. The Panel’s attention is drawn to Paragraph 7 of the Housing Portfolio Holder’s initial views at Appendix One. The Code of Guidance is referred to, which states that authorities “may wish to consider” exceptions for those who have a “strong association” to the local area, including provision for care leavers. Officers are recommending that if the Residency Criteria is increased to 5 years (in accordance with the Housing Portfolio Holder’s initial views), a lesser residency requirement of 3 years be applied to those leaving care.

Not applying, in the case of care leavers, the Criteria under Paragraph 14.8 of the Scheme “Serious Unacceptable Behavior”.

16. Under the Council’s current Housing Allocations Scheme the Local Eligibility Criteria states that, any homeseeker (or member of their household) who within the previous 3 years has been guilty of serious unacceptable behaviour will be ineligible to join the Council’s Housing Register. Officers do not consider that care leavers should be exempt from this provision due to the importance of eradicating anti-social behaviour within communities.

Hillsden v Epping Forest District Council

17. The Council is currently being challenged by way of Judicial Review in the High Court against the Council’s decision not to allow a non-qualifying applicant to join the Council’s Housing Register due to her exceptional circumstances. The Claimant’s two main arguments

are that:

- (i) Although the Council argues that the delegated authority granted to the Director of Communities (Paragraph 7.2 of the Scheme refers), to make decisions as he considers appropriate in exceptional circumstances not covered by the Scheme only applies to qualifying persons (i.e. people already admitted onto the Housing Register and does not apply to whether or not applicants are admitted to the Housing Register in the first instance), the Claimant says the Scheme infers it applies to both qualifying and non-qualifying persons; and
- (ii) That housing allocation schemes nationally, regardless of how framed, should consider exceptional circumstances of all non-qualifying applicants following a request for a review.

18. Although it is being suggested that Paragraph 7.2 of the Scheme is amended as part of this Review to make it clear that the discretion only applies to qualifying persons already admitted onto the Housing Register (and qualifying applicants), if the Claimant is successful in her claim under (i), then the Council would need to amend its Scheme as soon as possible after the judgment by way of a Housing Portfolio Holder or Cabinet decision, depending upon whether it is considered as a minor or major change. Furthermore, a review of the Claimant's case would need to be undertaken by the Director of Communities (and any other person's case who may request a similar review) to determine whether there are any exceptional circumstances for the Claimant to be a qualifying person to join the Council's Housing Register.

19. If the Claimant is successful in her second claim under (ii), then this could potentially affect every local authority's Scheme in England as they will be required to consider any exceptional circumstances of any person not meeting with any aspect of their Scheme, irrespective of how they are framed.

20. The Council is vigorously defending the Claim. At the time of the Agenda dispatch, the decision of the Court is awaited, and it is hoped that the Judgment will be received before the date of the Housing Scrutiny Panel, in which case an oral report will be given. Depending upon the outcome, Counsel has advised that an Appeal application could be made by the Claimant depending upon the final judgment including the reasoning given by the Judge for his decision. The Council will need to consider its position depending upon the outcome.

Consultation and Cabinet Approval

21. Following the Panel agreeing the amendments to be incorporated into the draft Housing Allocations Scheme, it is suggested that the new draft Scheme be considered by an external Legal Advisor, prior to the Statutory consultation being undertaken (see below) and the Cabinet considering the final Scheme.

22. Any advice given by the external Legal Advisor will then be incorporated and a consultation exercise undertaken, in accordance with Statutory Guidance, with the Tenants and Leaseholders Federation, Registered Providers operating in the District, Local Councils and partner agencies with an interest in the Scheme. The draft Scheme will also be posted onto the Council's Website seeking comments.

23. In accordance with legal advice previously received, the consultation period is required to be at least 12 weeks. However, in accordance with associated advice given, the Council can choose a shorter period if it has good reason. It is therefore recommended that the consultation period is reduced to 10 weeks. This is due to the expiry of the contract for the administration of the Choice Based Lettings Scheme being in June 2015 which is close to the proposed date for the revised Scheme coming into force. Locata Housing Services (LHS) have advised that should they not be successful under the Tendering process, any changes to the Scheme, including homeseekers having to update their information on-line, would need

to be completed by the end of the contract. By reducing the consultation period, this will enable a report to be submitted by the Panel to the March meeting of the Cabinet and provide much needed additional time for officers and LHS to complete this process.

24. Due to this and the implementation work needed, including all homeseekers having to update information on-line, the target date for the revised Scheme coming into force is 1 July 2014. It is suggested that the next review of the Scheme be considered by the Panel following 2 years of operation.

25. The Housing Scrutiny Panel is asked to submit a report on the proposed revised Scheme to the March 2015 meeting of the Cabinet for consideration.

26. The current Scheme and Code of Guidance (December 2013) have been circulated to Panel Members separately, and Members are asked to have regard to the Code of Guidance when considering proposed changes to the Schemes (especially since this was raised as an issue by the Judicial Review Claimant).

Reason for decision:

For the Housing Scrutiny Panel to consider the 12 month review of the Housing Allocations Scheme as part of its Work Programme and to make recommendations to the Cabinet accordingly.

Options considered and rejected:

That the Housing Scrutiny Panel does not consider the 12 month review of the Housing Allocations Scheme, or makes recommendations to the Cabinet.

Consultation undertaken:

As set out in Paragraphs 22 & 23 of the report.

APPENDIX ONE – HOUSING PORTFOLIO HOLDER’S INITIAL VIEWS

The following paragraphs set out under each issue the background, the Housing Portfolio Holder’s initial views, and officers suggested options and/or recommendations.

Residency Criteria

Background

1. Under one aspect of the current Local Eligibility Criteria set out at Paragraph 14 of the Scheme, in order to join the Council’s Housing Register an applicant must have been resident in the District for 3 continuous years.

Housing Portfolio Holder’s Initial Views

2. That the Residency Criteria be increased, with any new applicant who has lived in the District for less than five continuous years immediately prior to their date of registration, not qualifying for inclusion on the Council’s Housing Register;

3. That all existing homeseekers (already on the Housing Register) who have lived within the District for less than 4½ continuous years immediately prior to the date the new Housing Allocations Scheme is introduced, be removed from the Council’s Housing Register; and

4. That existing homeseekers removed from the Housing Register due to them not meeting the Local Eligibility Criteria should be allowed to re-register if/when they meet the new Local Eligibility Criteria, but that their Registration Date be the date of re-registration.

Officer recommendation

5. That the Housing Portfolio Holder’s initial views be recommended to the Cabinet.

Exceptions to the Residency Criteria

Background

6. Under the current Scheme, there are exceptions to the Residency Criteria for Armed Forces Personnel, and those who have moved out of the District for less than 3 years but have lived in the District for at least 3 years before moving out of the District. In addition, applicants who are over 60 years of age (who do not meet the Residency Criteria or have a housing need) on the Supplementary Waiting List can bid on vacancies in sheltered accommodation, although Homeseekers on the Housing Register who have submitted bids are given priority.

7. Under the Code of Guidance, it states that authorities “may wish to consider” exceptions for those who have a “strong association” to the local area. Including:

- those with a family association
- providing protection to those escaping violence or harm
- care leavers
- existing tenants wishing to move between authorities to downsize accommodation

8. The Code of Guidance further explains that the Government wants to increase opportunities for hardworking households and are intending to introduce the “Right to Move” for social tenants who are seeking to move across boundaries to take up a job or to be closer to their work. The Guidance states “in the meantime, we expect housing authorities to make appropriate exceptions to their residency test for social tenants so as not to impede the

labour market”.

Housing Portfolio Holder’s Initial Views

9. That no exceptions be made to the Residency Criteria for those who have a “strong association” with the District as this could lead to inconsistent decision-making;

10. That in accordance with the Government’s Code of Guidance and recent Consultation Paper “Right to Move” an exception be made to the Residency Criteria for existing social housing tenants who are seeking to move from another local authority district in England across boundaries to be closer to their work, take up a job, apprenticeship or full-time training that will lead to employment.

Officer recommendation

11. That an additional Paragraph be added into the Scheme at 14.3(f) as follows:

“Are in or have secured either permanent employment comprising of a minimum of 24 hours each week or an apprenticeship or full-time work-related training, and currently live either in excess of 50 miles from their current or intended place of work; and/or their return journey time on public transport is generally in excess of 3 hours. Journey times will be based upon Internet Journey Planners”; and

In order to comply with the above, to amend Band C (i) as follows:

“All Homeseekers (in accordance with Paragraph 14.3 (f) of this Housing Allocations Scheme) who need to move to be nearer to their place of work or to take up an offer of permanent employment, an apprenticeship or full-time work related training”

12. Officers further recommend that, should the Residency Criteria be increased to 5 years, the provision for those who have moved out of the District also be amended. It is suggested that those who have moved out of the District into settled accommodation for less than 3 year (being the current period) but have lived in the District for at least 5 years immediately before moving out of the District (in accordance with the proposed new Residency Criteria), will be treated as homeseekers who have lived in the District for more than 5 years prior to application.

13. The Code of Guidance is referred to which states that local authorities “may wish to consider” exceptions for those who have a “strong association” to the local area, including provision for care leavers. Further to representations made by Essex County Council, referred to at Paragraph 14 of the main report, officers are recommending that if the Residency Criteria is increased to 5 years, a lesser residency requirement of 3 years be applied to those leaving care.

Financial Criteria aspect of the Local Eligibility Criteria

Background

14. Under the current Scheme, any applicant who, in the opinion of the Council, has sufficient funds including; annual income, residential property equity, savings, shares or other assets to enable them to meet his or her housing costs will be ineligible to join the Housing Register. The thresholds at which this criterion applies is currently where;

- three times the gross annual household income including; residential property equity, savings, shares or other assets, exceeds £200,000 and the applicant qualifies for studio or 1 bedroom accommodation

- three times the gross annual household income including; residential property equity, savings, shares or other assets, exceeds £275,000 and the applicant qualifies for 2-bedroom or larger accommodation.

15. Any lump sums received, as compensation for an injury or disability sustained on active service by either, members of the Armed Forces, former Service personnel, bereaved spouses and civil partners of members of the Regular Forces, or serving or former members of the Reserve Forces, is disregarded from this criterion.

Housing Portfolio Holder's Initial Views

16. That the Financial Criteria aspect of the Local Eligibility Criteria should be substantially reduced to reflect, income and assets, residential property, equity, savings, shares or other assets, that would be required in order for any applicant to be able to secure accommodation in the private rented sector (rather than owner occupied accommodation which is the basis of the current criteria), and that officers put forward options to the Panel for consideration.

Officer recommendation

17. In May 2014, the DCLG issued its Guidance on Rents for Social Housing, which comes into effect from April 2015. The Guidance included Guidance on Rents for Social Tenants with High Incomes. For social tenants with high incomes, the Government allows local authorities to charge full market rents for properties let to households with an income of £60,000 per year. Authorities can choose to charge them up to full market rent. The DCLG's definition of "Households" mean tenants named on the Tenancy Agreement and any named tenant's spouse, Civil Partner or partner where they reside in the accommodation. "Income" is meant by the taxable income. Furthermore, under separate housing benefit rules, any person who has savings in excess of £16,000 is ineligible for housing benefit.

18. It is therefore recommended that the Financial Criteria limits for lead applicant/s being ineligible to join the Housing Register be based upon those set out in Paragraph 17 above and where any lead applicant/s (being those who intend to be either tenants or joint tenants) whose gross annual household income including; residential property equity, savings, shares or any other assets, exceeds £76,000 (i.e. £60,000 plus £16,000) they not qualify to join the Council's Housing Register, regardless of the size of accommodation required.

Downsizing incentive payments

Background

19. Under the current Scheme, any tenant of the Council is offered a payment to encourage them to downsize accommodation, where both properties are owned by the Council. This includes £500 for removal costs and £500 for each bedroom "released" to a maximum payment of £2,000.

20. The budget for downsizing payments and removal expenses for 2013/2014 was £44,000. During this period 41 tenants of the Council downsized to a property owned by the Council with less bedrooms. This resulted in 54 bedrooms being "released". The total amount paid in downsizing payments and removal expenses was £47,500.

Housing Portfolio Holder's Initial Views

21. That the downsizing incentive payments should be increased and the Housing Scrutiny Panel be asked to consider other options to incentivise the Council's tenants to downsize accommodation including, rent free periods in their new smaller property and increased decorations allowances.

Officers' suggested options

Option One

22. That the amount paid for removal costs remains the same, as this appears to be a reasonable allowance for this purpose, but that the incentive payments for each bedroom "released" be doubled to £1,000, to a maximum payment of £3,500.

Option Two

23. That the incentive payments for each bedroom "released" be doubled to £1,000 to a maximum payment of £3,500. In addition, that the amount paid for removal costs remains the same, but a standard decoration allowance payment of £500 is paid by way of "Homebase" vouchers (which is around twice the full amount paid to any tenant when all rooms in a property are in need of re-decoration) making a total payment of £1,000 for both removals and re-decorations.

Option Three

24. That the incentive payments for each bedroom "released" be doubled to £1,000 to a maximum payment of £3,500. In addition, that the amount paid for removal costs remains the same, but a standard decoration allowance payment of £500 is paid by way of "Homebase" vouchers (which is around twice the full amount paid to any tenant when all rooms in a property are in need of re-decoration) making a total payment of £1,000 for both removals and re-decorations. Furthermore, that the tenant be offered a rent-free period of 3 months in their new smaller property.

Officer recommendations

25. Option Two is recommended, with the incentive payments paid for each bedroom released being increased from £500 to £1,000. In addition, that the amount paid for removal costs remains the same, but a standard decoration allowance payment of £500 is paid (which is around twice the full amount paid to any tenant when all rooms in a property are in need of re-decoration) making a total payment of £1,000 for both removals and re-decorations. Rent free periods should not be granted as these would not benefit tenants who are receiving housing benefit.

26. If increased incentives set out in Option Two are agreed, this is expected to result in an estimated increase in budget provision of around £68,000 making a required total annual budget of £115,500. The increase would need to be funded from the Housing Improvements and Service Enhancements Fund when the Housing Scrutiny Panel considers the use of the Fund in January 2015.

Penalties for refusals of offers of accommodation

Background

27. Under the current Scheme, any homeseeker (apart from an existing tenant of the Council who is under-occupying and wishing to move to smaller accommodation) who refuses two offers of suitable accommodation for which they have expressed an interest within any three-month period will have their application deferred for a period of six months.

Housing Portfolio Holder's Initial Views

28. That any homeseeker who refuses two offers of suitable accommodation for which they have expressed an interest within any period should have their application deferred for a period of twelve months; and

29. That any homeseeker who is an existing tenant of the Council who is under-occupying and wishing to move to smaller Council accommodation who refuses three offers of suitable accommodation for which they have expressed an interest within any period, will have their applications deferred for a period of twelve months.

Officer recommendation

30. That the Housing Portfolio Holder's initial views be recommended to the Cabinet. It is further suggested that any previous refusals by homeseekers of offers of suitable accommodation be waived and not counted, from the date the new Scheme comes into force.

APPENDIX TWO

Paragraph No.	Change to the Scheme	Reason
1	<p>Amend – first line “...under Section 166A of the Housing Act 1996...”</p> <p>Add - last line “..... (DCLG June 2012) Providing social housing for local people: statutory guidance on social housing allocations for local authorities in England (December 2013) and other relevant legislation and Guidance”.</p>	<p>To update Act References</p> <p>To clarify that the Scheme has taken account of this recent guidance which came into force after the last review</p>
6.3	Delete: (b) 16 and 17-year-olds owed a full housing duty by the Council under homelessness legislation	No longer required as all homeless persons are not included on the Housing Register and are dealt with under Appendix 4 of the Scheme
7.2	Amend to: “The Council recognises that there may be some exceptional circumstances concerning qualifying persons which are not covered by the Scheme. In such instances, the Director of Communities will have delegated authority to make decisions as he considers appropriate. The Director of Communities does <u>not</u> have delegated authority to decide whether there are exceptional circumstances for allowing any ineligible applicant to join the Housing Register.	To clarify that, although the Director of Communities has delegated authority to make decisions in exceptional circumstances not covered by the Scheme, this will only apply to qualifying persons.
7.5	Move this Section of the Scheme to Appendix 4 under “Other Allocations Outside of the HomeOption Scheme	To avoid any duplication and set out all allocations made outside of the Scheme in one Section.
10	<p>Add 10.3</p> <p>“When an existing tenant applies to change their sole tenancy to a joint tenancy, this will be subject to any new joint applicant meeting with the Local Eligibility Criteria of this Scheme at Paragraph 14 (apart from the Housing Need element) and all of the requirements set out in the Council’s leaflet on Joint Tenancies current at the time of application being met”.</p>	To clarify the conditions on which a sole tenant can enter into a joint tenancy

APPENDIX TWO (Continued)

Paragraph No.	Change to the Scheme	Reason
11.1	Amend to: "Most homeseekers will be given an opportunity to view the property they are being offered prior to giving the Council a decision". Also, merge Paragraphs 11.1 & 11.2	Clarifies the process better
14.1	Amend last sentence to: "Within this Housing Allocations Scheme, those who do not meet all aspects of the criteria are classed as persons not qualifying".	To clarify that all applicants must meet with all parts of the Local Eligibility Criteria.
14.3 (a) to (d)	<p>Amend to:</p> <p>14.3 "...prior to their date of registration with the exception of persons who:</p> <p>(a) are serving in the regular forces and are suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service;</p> <p>(b) Formerly served in the regular forces where the application is made within 5 years of discharge;</p> <p>(c) have recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of that person's spouse or civil partner who has served in the regular forces and whose death was attributable (wholly or partly) to that service, or</p> <p>(d) are serving or have served in the reserve forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service where the application is made within 5 years of discharge.</p> <p>The "regular forces" and the "reserve forces" have the meanings given by section 374 of the Armed Forces Act 2006</p>	<p>Section 166 A (3) of the Housing Act 1996 determines who has priority for an allocation of social housing.</p> <p>Regulations have been made by the Secretary of State. The change to the Scheme accurately reflects the amendments made in respect of the additional preference given to Armed Forces Personnel, which is worded slightly different from the provisions originally set out in the Guidance and consequently the current Scheme.</p>

APPENDIX TWO (Continued)

Paragraph No.	Change to the Scheme	Reason
14.3 (f)	Delete	No longer required as those applicants would have re-registered
Band A (vi)	Add at end of criterion “.....but not as a result of the introduction of a further household”	It is important that such priority is not given to those occupying insanitary or overcrowded housing if it is as a result of the host household moving another household into the property.
New Band B (i)	Homeseekers defined as a household, who are sharing accommodation with another household, which is resulting in a lack of at least one bedroom. (Also amend numbering within this Band)	To give priority to a household sharing with another household who have been living in such circumstances for 12 months or more. This should result in the second household continuing to reside with the “host” household until they are housed and prevent homelessness in these circumstances.
Band B (iv)	Amend to: Existing tenants of the Council: <ul style="list-style-type: none"> • living in 2 or 3 bedroom flatted accommodation (including maisonettes) who meet the Local Eligibility Criteria (under paragraph 14 of the Scheme), making expressions of interest for houses that meet with their housing need <p>with their registration date being the tenancy commencement date of their current property.</p>	The words “with no housing need” have been deleted. This is in order that those living in 3 bedroom flats or 2 bedroom flats who have a housing need e.g. lacking a bedroom can also benefit from their registration date being their tenancy commencement date. Two bullet points would be merged Under this proposal, homeseekers would be able to bid on houses that meet their housing need should they be lacking a bedroom.

APPENDIX TWO (Continued)

Paragraph No.	Change to the Scheme	Reason
Band B (vi)	Delete	This continued to be included in the Scheme in order that when, in very rare circumstances, homeless applicants are placed in accommodation within the Council's stock, they should be allowed to bid on properties in order to move as soon as possible. As, those placed in the Council's housing stock are generally given a direct offer of that property this category has proven not to be needed. It is also considered that as all other homeless applicants are no longer able to bid, all such applicants should be treated consistently.
Band C (vi)	Delete	Under the old Scheme those found intentionally homeless were given low priority. Suggested this Criterion is deleted as under the current Scheme, homeless applicants are no longer included on the Housing Register.
Band B (vi)	Additional category a follows: "Existing tenants of the Council aged over 60 years living in 1 bedroom Council accommodation wishing to move to sheltered accommodation regardless of need.	To give an opportunity to a person over 60 years of age living in 1 bedroom Council accommodation to move to sheltered accommodation, thereby freeing up much needed general needs accommodation.

APPENDIX TWO (Continued)

Paragraph No.	Change to the Scheme	Reason
14.8	<p>Remove the following sentence:</p> <p>“Applicants most likely to be rejected on these grounds are those who have been evicted from a council, housing association or private rented tenancy”.</p>	<p>This clause suggests that the Council would only exclude or remove applicants from the Housing Register who had been evicted. This prevents excluding those committing acts of serious unacceptable behaviour where the Courts may not have granted possession and problems are continuing.</p>
14.8	<p>Amend Paragraph setting out the various new remedies for Anti-Social Behaviour in bullet point form in accordance with the Anti-Social Behaviour Crime and Policing Act 2014.</p>	<p>To set out the new terminology for the Orders and Injunctions under the new legislation. Any persons subject to these or any other similar penalties introduced under future legislation will not qualify.</p>
16.3	<p>Amend to:</p> <p>“.....to be made. A household is two persons or more who are intending to live together at the same property offered. Homeseekers should only include persons on their application who have been part of their household for at least a 12 month period and who will occupy the accommodation offered as their only or principal home”. In respect of the Financial Criteria set out at Paragraph 14.6 of this Scheme, Household is defined as any person intended to be either tenants or joint tenants”</p>	<p>A clearer definition of “Household” Furthermore, to ensure that all applicants are permanent members of the household.</p>

APPENDIX TWO (Continued)

Paragraph No.	Change to the Scheme	Reason
16.5	<p>Amend to:</p> <p>“Required documents in respect of 16.4 above will include an original Full Birth Certificate and current Passport and any other appropriate documents as determined by the Housing Options Manager ”</p>	<p>As there is an extensive list of documents that may be required and can vary from case to case, it is better to make a broader statement. Being less specific gives the Housing Options Manager the ability to make decisions based upon the applicant’s circumstances.</p>
17.1 (f)	<p>Add (iii) how any decision about the facts of their case has been taken into account.</p>	<p>To comply with the DCLG Code of Guidance</p>
<p>Appendix 4</p> <p>1.3</p>	<p>Amend final sentence to:</p> <p>“If the offer is refused, the applicant will have the right to seek a Review of the suitability of the accommodation. If not successful, the Council’s duty under the Housing Act 1996 as amended to provide accommodation will be considered to be discharged”.</p>	<p>To clarify that applicants have the right to seek a Review of the suitability of the accommodation offered.</p>