

Rother District Council is reviewing our Housing Allocations Policy and we are requesting your views on the proposed changes.

Why are we reviewing the Housing Allocations Policy?

- We are required by [Section 166A\(1\)](#) of the Housing Act 1996 to have an allocation scheme for determining priorities and for defining the procedures to be followed when allocating social housing.
- There are some areas of the current allocations policy which we feel should be amended to help us meet the objectives set out below
- We feel the proposed changes will make the policy fairer and clearer

Objectives

Overall aim of the policy:

- To provide a framework for the equitable, effective and accountable allocation of affordable housing in Rother.

The policy is designed to help us meet the following objectives:

- Ensure the allocation of social housing contributes towards socially, economically and demographically balanced communities
- Maximise the use of social housing stock in the district
- Assist the Council and its partners in meeting statutory duties, particularly in relation to ensuring reasonable preference to priority groups
- Reduce temporary accommodation use
- Prevent people becoming statutorily homeless
- Let social landlords accommodation fairly and in an open and transparent way
- Minimise property void periods
- Promote social inclusion
- Promote and achieve equality of opportunity

Q1. Do you agree with the overall aim of the policy?

Yes No

Q2. Do you agree with the objectives?

Yes No

Q3. Are there any objectives you feel should have priority?

Yes No

If yes, which objectives should have priority?

Q4. Are there any objectives you feel should not be included?

Yes No

Q5. Are there any objectives you feel are missing?

Yes No

If yes, which objectives are missing?

SECTION 2: Deliberately withholding information or providing false information

It is a criminal offence:

- to knowingly or recklessly make a statement which is false; or
- to knowingly withhold information which the authority has reasonably required an applicant to give the council in connection with dealing with their application

The Council may take action against the applicant which could result in the loss of their home and a fine of up to £5,000.

Any person found to have supplied false or misleading information will have their application cancelled.

Q6. Do you agree that the Council should take the above action in the case of an applicant deliberately withholding information or providing false information?

Yes No

SECTION 3: Eligibility and Qualification

The terms which set out eligibility to join the housing register are set out in legislation and therefore questions in this section relate only to qualification criteria, which local authorities are able set.

Applicants who meet the following criteria are able to join the housing register:

- Aged 18 or over
- Have a local connection to Rother District Council

The local connection criteria include:

- Residing in the district
- Family in the district
- Employment in the district
- Military Personnel
- Care leavers

- Fleeing violence
- Refugees

Further on the draft policy can be found here [insert link](#)

Q7. Do you agree with the qualification criteria?

Yes No

Q8. Are there any criteria missing?

Yes No

If yes, what criteria are missing?

Q9. Are there criteria included that you feel should not be included?

Yes No

If yes, which criteria should not be included?

Additionally, a person will not qualify to join the housing register if they:

- Have current Council or housing related debt
- Are currently in prison
- Have provided false or misleading information or have withheld information that has been reasonably requested
- Have caused unacceptable or anti-social behaviour
- Are a home owner or have sufficient means to afford alternative accommodation in the private sector
- Have deliberately worsened their housing circumstances

Further on the draft policy can be found here [insert link](#)

Q10. Do you agree with the disqualification criteria?

Yes No

Q11. Are there any disqualification criteria missing?

Yes No

If yes, which criteria should be included?

Q12. Are there any disqualification criteria included that you feel should not be included?

Yes No

If yes, which criteria should not be included?

Who can be included on the application

An applicant can only include as part of their application members of their immediate family.
These include:

- Applicants husband, wife, civil partner or someone with whom the cohabit
- Dependent children under 18 who live with the applicant or who might reasonably be expected to live with them, where the applicant is the parent or guardian and is in receipt of Child Benefit.
- Any other non-dependent adult who can demonstrate they are normally permanently resident with the applicant or have a clear need to do so. This will not include lodgers or anyone subletting from the applicant.
- Dependent relatives
- Live-in carers, where a live in carer is essential on a 24 hour, daily and continuing basis

Q13. Do you agree with who can be included on the application?

Yes No

Q14. Is there anyone missing?

Yes No

If yes, who else should be included?

Q15. Do you disagree with any of the above being included in the application? If so, who and why?

Yes No

If yes, who should not be included?

Additionally, the following cannot be included on the application:

- Family members not currently living with the applicant
- Family members who already have an existing housing application
- People flat sharing who are not in a relationship with the applicant

Q16. Do you agree with who should not be included on the application?

Yes No

Q17. Is there anyone missing?

Yes No

If yes, who else should not be included?

Q18. Do you disagree with any of the above not being included in the application? If so, who and why?

Yes No

If yes, who else should be included?

Qualifying Criteria – Local Connection

The qualifying criteria regarding family local connection has been amended as follows;

Applicants whose only local connection is through family will only be eligible for band D. These applicants will be considered for new build housing schemes where there are specific planning or local connection requirements.

Q19. Do you agree with the policy change?

Yes No

If yes or no please explain why

Non - Qualifying Criteria – Financial Resources

The criteria for determining whether someone has sufficient resources to resolve their own housing situation and would not qualify to join the register has been amended as follows;

Applicants who's monthly rent or mortgage payments are less than 32% of the total household income will not be eligible. In addition, applicants who have savings totaling more than £16,000, (unless it is their only source of income), will not be eligible. The Council will disregard disability payments for former members of the armed forces following discharge, Disability Living Allowance (DLA) payments, Personal Independent Payments (PIP) and applicants with significant mobility issues.

Q20. Do you agree with the policy change?

Yes No

If yes or no please explain why

Non - Qualifying Criteria - Council and housing related debt

The criteria for determining whether someone does not qualify due to Council and housing related debt has been amended as follows;

Applicants with social housing or Council related debt in arrears in excess of £600 will be ineligible until evidence has been provided that the debt has been paid or the applicant has maintained a payment agreement for at least the last six months. Applicants with outstanding debts with our housing association partners are likely to be rejected for properties by the housing association until the debt has been paid in full. Exceptional circumstances may apply.

Q21. Do you agree with the amended criteria?

Yes No

If yes or no please explain why

Priority Bands – Introduction of an Emergency Band

The policy has been amended to include a new Emergency Need band above the existing band A. Eligible applicants are made one 'direct offer' of accommodation where social housing has been deemed as the only viable option. All other allocations would be made via the same Choice Based Lettings system in revised priority bands, from A to D. The new Emergency Need category will provide greater flexibility than Choice Based Lettings allows particularly in situations where there is an urgent or immediate need to provide assistance.

Q22. Do you agree with the policy change?

Yes No

If yes or no please explain why

Emergency Need band reasons

The following Emergency band reasons have been introduced;

- Severe housing conditions
- Welfare
- Exceptional homeless households
- Hospital discharge
- Adapted property
- Domestic Abuse
- Permanent decant
- Medical (severe & immediate)
- Significant risk
- Exceptional reasons

Q23. Do you agree with the categories set out above?

Yes No

Q24. Is there a category that you feel is missing?

Yes No

If yes, which category is missing?

Q25. Is there a category that you feel should not be included?

Yes No

If yes, which category should not be included?

Further on the draft policy can be found here [insert link](#)

Band A priority – Homeless prevention

The following band A reason has been introduced in line with the Councils objective for greater homelessness prevention;

Applicant has been served with a valid Section 21 notice through no fault of their own, are owed the relief or prevention duty and it has been determined the Council would owe the 'main duty' (s193(2)). In order to be considered applicant must be fully engaged with the Council and their Personalised Housing Plan to prevent homelessness. At the discretion of the Housing Needs Manager applicants may also have their priority date backdated by 12 months.

Q26. Do you agree with the policy change?

Yes No

If yes or no please explain why

Band A priority - Homeless prevention

The following band A reason has been introduced in line with the Councils objective for greater homelessness prevention;

Applicant living with friends/family, is threatened with homelessness, owed a prevention or relief duty and it has been determined the Council would owe the 'main duty' (s193(2)); They must have been resident with friend/family for at least 12 months prior to the birth of their child or application (and can evidence this), and is forced to share their bedroom or sleeping area with their dependent child who is over 6 month old. In order to be considered applicant must be fully engaged with the Council and their Personalised Housing Plan to prevent homelessness. At the discretion of the Housing Needs Manager applicants may also have their priority date backdated by 6 months. Council will need to be satisfied there is no evidence of collusion between family members to gain additional priority. Where this is found applicants will be treated as deliberately worsening their own circumstances and placed into band D.

Q27. Do you agree with the policy change?

Yes No

If yes or no please explain why

Band A priority – Homeless prevention

The following band A reason has been introduced in line with the Councils objective for greater homelessness prevention;

Applicant has received an outright possession order / notice of eviction from the court through no fault of their own and has fully engaged with the council to prevent homelessness. This applies only to applicants who the council would owe the 'main duty' (s193(2)) to and have chosen not to move into temporary accommodation.

Q28. Do you agree with the policy change?

Yes No

If yes or no please explain why

Band A priority - Former rough sleeper pathway

The policy awards band A to clients who are ready to move on from Rough Sleeper Accommodation Pathway (RSAP) or Next Steps Accommodation Pathway (NSAP) properties. This accommodation is time limited for two years and therefore enables clients to move into stable accommodation. The band reason is as follows;

Applicant is required to move on from rough sleeper accommodation from authorised partnership schemes where the applicant has been assessed as ready to move to independent living, and where a move on report has been provided.

Q29. Do you agree with the policy change?

Yes No

If yes or no please explain why

Band A – band reasons

The following band A reasons have been introduced;

- Serious Housing Conditions
- Welfare
- Under Occupation
- Medical (urgent)
- Homeless making own arrangements
- Homeless Prevention (s21 notice)
- Homeless Prevention (friend/family eviction)
- Permanent Decant
- Overcrowding
- Fleeing Violence/Harassment/Abuse

Q30. Do you agree with the categories set out above?

Yes No

Q31. Is there a category that you feel is missing?

Yes No

If yes, which category is missing?

Q32. Is there a category that you feel should not be included?

Yes No

If yes, which category should not be included?

Further information on the draft policy can be found here [insert link](#)

Band B priority – Accepted homeless households

The current policy awards households that are accepted as homeless and in temporary accommodation band A. This can incentivise homelessness as a route to social housing. The new policy awards accepted homeless households in temporary accommodation band B. The amended band reason is as follows:

Applicant to whom the council has accepted the main housing duty (s193(2)), are residing in temporary accommodation provided by the council and have no housing related council debt.

Q33. Do you agree with the policy change?

Yes No

If yes or no please explain why

Band B – band reasons

The following band B reasons have been introduced;

- Accepted Homeless Households
- Medical (high priority)
- Welfare
- Overcrowding
- Insecurely Housed
- Armed/Reserve Forces
- Unsatisfactory Housing Conditions

Q34. Do you agree with the categories set out above?

Yes No

Q35. Is there a category that you feel is missing?

Yes No

If yes, which category is missing?

Q36. Is there a category that you feel should not be included?

Yes No

If yes, which category should not be included?

Further information on the draft policy can be found here [insert link](#)

Band C – Homeless Prevention

The policy awards priority to applicants who are assisted by the Council into private rented accommodation as a way of preventing or relieving homelessness. The band reason is as follows;

Applicant is living in private rented accommodation and was assisted into an assured shorthold tenancy with help from the council as a way of preventing or relieving homelessness (including those who have escaped domestic abuse from outside the District).

Q37. Do you agree with the policy change?

Yes No

If yes or no please explain why

Band C - Removal of applicant over the age of 65 with no other housing need other than Sheltered accommodation

In line with the Council's aim of assisting those in most need the following band reason has been removed;

Applicants requiring older persons sheltered o housing where there is no other housing need.

Q38. Do you agree with the policy change?

Yes No

If yes or no please explain why

Band C - band reasons

The following band C reasons have been introduced;

- Homeless Prevention
- Intentionally Homeless Households
- Welfare
- Right to Move

Q39. Do you agree with the categories set out above?

Yes No

Q40. Is there a category that you feel is missing?

Yes No

If yes, which category is missing?

Q41. Is there a category that you feel should not be included?

Yes No

If yes, which category should not be included?

Further information on the draft policy can be found here [insert link](#)

Band D – Refused Main duty or ‘Final Offer’ of accommodation

The policy introduces band D priority for applicants who refuse a main duty (part 6) offer or ‘final’ offer of accommodation. The band reason is as follows;

Applicant has refused a suitable offer of accommodation in discharge of the main housing duty (s193(2)) or a ‘final offer’ of accommodation in accordance with the Housing Act 1996 (as mended) will be placed into this band for 6 months.

Q42. Do you agree with the policy change?

Yes No

If yes or no please explain why

Band D - Deliberate or unreasonable refusal to cooperate with Personalised Housing Plan

The Homelessness Reduction Act requires applicants to work with the Council to take reasonable steps to resolve their housing situation. If an applicant refuses or does not reasonable co operate then they can be placed in band D for 6 months. Clients who are assessed as vulnerable would not be affected. The band reason is as follows;

Applicant who has been assessed by the Council as deliberately or unreasonably refusing to cooperate with their Personalised Housing Plan will be placed into this band for 6 months.

Q43. Do you agree with the policy change?

Yes No

If yes or no please explain why

Band D - band reasons

The following band D reasons have been introduced;

- Refused Main Duty or 'Final Offer' of Accommodation
- Deliberate or unreasonable refusal to cooperate with Personalised Housing Plan
- Family Local Connection
- Deliberately worsened own circumstance

Q44. Do you agree with the categories set out above?

Yes No

Q45. Is there a category that you feel is missing?

Yes No

If yes, which category is missing?

Q46. Is there a category that you feel should not be included?

Yes No

If yes, which category should not be included?

Auto bidding for homeless applicants

In order to ensure that homeless applicants are maximising their chances of rehousing the following groups will be placed on to auto bidding;

All homeless applicants who are owed the following duties will be placed on auto bidding,

- 190(2) – eligible for assistance, homeless, in priority need and intentionally homeless
- 193(2) – eligible for assistance, homeless, in priority need and not intentionally homeless
- 195(2) – the prevention duty owed to persons who are eligible for assistance and threatened with homelessness
- 189(b) – the relief duty owed to persons who are eligible for assistance and homeless

Q47. Do you agree with the policy change?

Yes No

If yes or no please explain why

Priority date changes

If an applicants priority date changes then it will be amended as follows;

- **Moving down into a band you have been in previously:** your priority date will become the date that applied when you were last in that band.
- **Moving down a band into a band you have not previously been in:** the priority date will be the original application date.
- **Moving up to a higher band** the priority date will be the date when an applicant is assessed as requiring a higher band.

Q48. Do you agree with the policy change?

Yes No

If yes or no please explain why

Local Lettings Plans

Local Lettings Plans allow the Council to consider direct lets to respond to local conditions. The Council will consider the use of local lettings plans in the following circumstances:

- Age restrictions (eg older persons or younger persons to provide a 'balanced community')
- Giving priority to transfer applicants with a positive tenancy history
- Giving priority to working households where there is a concentration of tenants/residents with tenancy support needs
- Giving priority to residents with a local connection to the area (in particular villages where community sustainability is a concern).

Q49. Do you agree that the Council should retain the ability to develop local lettings plans in the circumstances set out above?

Yes No

Please let us know if you have any other comments.