



BLABY DISTRICT COUNCIL

CHOICE BASED LETTINGS ALLOCATIONS POLICY

MARCH 2011

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1 Introduction

1.1 *Legal Background*

- 1.1.1 Councils are required by law to have policies and procedures in place for the letting of properties. The Allocations Policy provides a framework for assessing housing need, priority and determining who will be nominated to Registered Providers (RP's) for housing.
- 1.1.2 A number of principles have guided the formation of this policy. Most important is the need to treat all applicants fairly and to ensure compliance with the legal requirements of the Housing Act 1996 (Part V1), as amended by the Homelessness Act and the Fair and Flexible statutory guidance on social housing allocations 2009.
- 1.1.3 Amendments to the law have been designed to give applicants greater choice, to ensure that reasonable preference is given to applicants in the greatest need and to create an Allocation Scheme that can easily be understood by applicants. As such the main principles behind this policy are to:
- Comply with the Housing Act 1996, as amended by the Homelessness Act 2002, the Housing Act 2004 and the Code of Guidance on Allocations and the Fair and Flexible statutory guidance on social housing allocations 2009.
 - be transparent and easily understood by applicants, staff, elected Members and partner organisations
 - help prevent homelessness and support the Council's homelessness strategy
 - widen choice and be more accessible
 - reflect local needs and encompass rural sensitivities
 - make the most effective use of the housing stock
 - ensure equality of opportunity in accessing the Housing Register
 - be easy to administer
 - To ensure home seekers are treated fairly, individually and in accordance with the commitment to equality and diversity.
 - promote mobility
 - be open and accountable

- help tackle low demand
- promote sustainable tenancies by ensuring adequate support is available for vulnerable people
- To provide feedback to home seekers about homes let through the choice based lettings scheme

1.2 Statement on Choice

- 1.2.1 Blaby District Council operates a choice-based lettings scheme.
- 1.2.2 Blaby District Council participates in a sub-regional choice-based lettings scheme.
- 1.2.3 Blaby District Council seeks to give every eligible applicant (home seeker) choice in relation to accommodation.
- 1.2.4 The Allocations and Lettings Policy does ensure that those home seekers who are in urgent housing need are given reasonable preference within the choice-based lettings scheme.

1.3 Sub-Regional Choice Based Lettings Scheme

- 1.3.1 Seven local authorities in Leicestershire (other than Leicester City Council) have formed a partnership to offer choice based lettings across all of their districts. The aim is to provide home seekers within Leicestershire a wide choice of affordable housing options and give them more control over which properties they are offered.
- 1.3.2 The seven local authorities who make up the Leicestershire Sub-Region are:
- Blaby District Council
 - Charnwood Borough Council
 - Harborough District Council
 - Hinckley & Bosworth District Council
 - Melton Borough Council
 - North West Leicestershire District Council
 - Oadby & Wigston Borough Council
- 1.3.3 The partners agree that a minimum of 10% of their general needs housing vacancies and a minimum of 10% of their sheltered housing will be pooled sub-regionally, taken as an average over the course of a full year.
- 1.3.4 All specialist housing for people with physical disabilities will be added to the sub-regional pool.

1.4 Equal Opportunities

- 1.4.1 Blaby District Council's allocations scheme promotes equal opportunities in the services it provides. Our aim is to implement and maintain services which ensure that no potential or current applicant is treated less favourably on the grounds of gender, marital status, race, nationality, ethnic or national origin, colour, disability, age or sexual orientation nor is disadvantaged by the application of a rule, condition, or requirement, which has a discriminatory effect which cannot be justified by law.
- 1.4.2 Our allocations scheme operates in accordance with the council's equal opportunities policy. A copy of the policy is available from the Council Offices, Desford Road, Narborough, Leicester LE19 2EP.

1.5 Data Protection

- 1.5.1 Any information provided as part of the application process will be treated in the strictest confidence and in accordance with current data protection legislation. The Council's corporate statement on data protection will be printed in full within the housing application form.

2 The Housing Register

2.1.1 Blaby District Council maintains a register of home seekers who have applied for accommodation with the Councils or housing associations operating in the Leicestershire Sub-Region.

2.1.2 Properties that become available to let will normally only be allocated to home seekers on the housing register.

2.2 Joining the Housing Register

2.2.1 Home seekers must be 16 years of age or over in order to register with one of the partners.

2.2.2 Every home seeker must complete a Leicestershire Choice Based Lettings housing application form. The information given on the form must be correct. The Council reserves the right to disqualify any home seeker from joining the register, withdraw any offer of a tenancy or recover possession of an existing tenancy if they have knowingly given false information.

2.2.3 Home seekers will be required to provide proof to support their application; for example, they may be asked to provide proof of income, benefits, access rights to children or levels of capital.

2.2.4 The Council will make any other enquiries as they deem necessary in order to assess the application. This may involve contacting previous landlords, health or medical advisors, police, etc.

2.2.5 An application will only become live on the Housing Register when it is fully completed and all the necessary information provided.

2.2.6 Home seekers aged 16 and 17 will be assessed in the same way as all other Home seekers joining the Housing Register. However they will be required to provide details of a guarantor.

2.2.7 The guarantor must be a responsible person such as a parent or other close family member, or a representative from a support agency such as social care services. Only those with a guarantor in place can be made an offer of accommodation.

2.2.8 Home seekers aged 16 or 17 will be subject to locally agreed protocols which will determine the type of property and support services that they can be considered for.

2.2.9 Housing Associations operate different policies in this area so home seekers may be ineligible for nomination for certain properties.

2.3 Housing Register Renewal

- 2.3.1 Home seekers will be contacted periodically and asked to confirm whether they wish to remain on the housing register and whether their circumstances have changed.
- 2.3.2 Home seekers will be expected to respond to the renewal request within 28 days. Failure to respond will result in a reminder letter being sent advising the home seeker that their registration will be cancelled within 14 days. Failure to respond to the reminder will normally result in the application being cancelled.
- 2.3.3 Home seekers can ask for their application to be reinstated if they believe that it has been cancelled incorrectly or unreasonably. An example of where an application could be reinstated is where a home seeker has been in hospital for the duration of the renewal period and does not have a mailing contact who could have responded on their behalf. If the request to reinstate the application is refused the home seeker has the right to request a review of this decision.

2.4 Exclusions to the Housing Register

- 2.4.1 Applicants are not eligible to join the register if they, or a member of their household, are;

Subject to immigration controls under the Asylum and Immigration Act 1996, unless they:

- Already hold a secure tenancy allocated to them by their local Council.
 - Already hold an assured tenancy allocated to them by a housing association.
 - Are in a class prescribed by regulations made by the Secretary of State, these classes include those with
 - Refugee status
 - Exceptional leave to remain in the UK
 - Indefinite leave to remain in the UK
 - Persons subject to immigration control who are nationals of a country that has ratified the European Convention on Social and Medical Assistance (ECSMA) or the European Social Charter.
- 2.4.2 Any application identified as falling under the Asylum and Immigration Act 1996 will be assessed in accordance with the Act. Blaby District Council reserves the right to seek independent advice and assistance to resolve the issue of eligibility.

Guilty of unacceptable behaviour serious enough to make them unsuitable as a tenant:

2.4.3 When making this decision we will consider:-

- a) What action we, as a landlord, would have taken against the perpetrator of the unacceptable behaviour. The behaviour must be serious enough that Blaby District Council would have been entitled to a possession order under schedule 2 of the Housing Act 1985. As an example, cases relating to noise problems, domestic violence, racial harassment, intimidation and drug dealing would probably lead to a possession order. Rent arrears often only lead to a suspended possession order.
- b) Whether the behaviour is serious enough to make the applicant unsuitable as a tenant. As an example, accrual of rent arrears which have resulted from factors outside of the applicant's control, e.g. delays in housing benefit payments or liability for a partner's debts are not serious enough to make the applicant unsuitable as a tenant.
- c) When the unacceptable behaviour took place. Consideration will be given to the length of time that has elapsed and whether there has been any change in circumstances or behaviour.

2.4.4 In deciding whether an applicant should be excluded Blaby District Council will give consideration to all 3 of the above conditions. When making this decision Blaby District Council will also consider whether it is reasonable to exclude the applicant. We will take into account all relevant factors such as health, dependants or other factors.

2.4.5 If an applicant who has been refused entry onto the housing register because of unacceptable behaviour and considers that their unacceptable behaviour should no longer be held against them they should complete a new registration form. The applicant will need to show that there has been a significant improvement in behaviour over a proven period of time, in the opinion of the authority, since the previous application was submitted. This should be evidenced through a supporting agency or via the council's Anti-Social Behaviour Team.

2.4.6 If at any time Blaby District Council obtains evidence that an applicant already accepted onto the housing register is ineligible then the applicant will be advised that their application will be cancelled. Applicants will have the opportunity to use the appeals procedure if they are able to show this decision is incorrect.

3 Home Seeker Types

3.1 New Home Seekers

- 3.1.1 Home seekers who are NOT current Secure or full Assured tenants of one of the partner landlords, residing within the district, are defined as new home seekers.
- 3.1.2 Tenants of the partner housing associations and other Local Authorities living beyond the Leicestershire Sub-Regional boundary are defined as new home seekers.
- 3.1.3 Applicants housed on a non-secure or licence basis do not have a right in law to transfer and will be registered as a new home seeker.

3.2 Transfer Home Seekers

- 3.2.1 Any existing social housing tenant with a Secure or full Assured Tenancy (or who will qualify for one of these having served a probationary period) seeking to move to another social housing tenancy anywhere in the Leicestershire sub-region will be defined as a transfer.
- 3.2.2 Transfer applicants who are on introductory or probationary tenancies with their social housing landlord, may be permitted to register for a transfer and, if successful in bidding for a new property, complete their probationary period at the new address. Any such applicants subject to a notice (NOSP/NOPPIT) may be moved to the low housing need band or have their application temporarily suspended.
- 3.2.3 Where a district housing register has set targets or quotas for transfer moves, they may restrict bidding on certain vacancies to home seekers defined in this way.
- 3.2.4 This benefit will not apply to social housing tenants resident outside the sub-region, even if they have a local connection within the sub-region.
- 3.2.5 All household members must normally be leaving the current property for an application to be considered as a transfer.

3.3 Home Seekers with a Disability or a Mobility Need

- 3.3.1 If a home seeker indicates on their application form that they require ground floor accommodation, accommodation that has been specially adapted or they have a mobility problem, then they will be asked to complete a separate Mobility Assessment Form.
- 3.3.2 There are 6 self-selection housing mobility categories:

A) My legs are unable to support my weight and I need to use a wheelchair when indoors and outdoors.

B) I use a wheelchair but can walk a short distance. I cannot climb steps or stairs.

C) I do not use a wheelchair but walk with difficulty. I cannot climb steps or stairs.

D) I do not use a wheelchair; I find it difficult to walk, but can manage one or two steps.

E) I need a downstairs toilet.

F) I have a disability or a medical problem, such as kidney dialysis or epilepsy, requiring more suitable accommodation, which does not fall into any of the above categories.

- 3.3.3 If the home seeker is a wheelchair user or needs a wheelchair accessible property we may arrange for an assessment to be undertaken.
- 3.3.4 The self-assessment will be verified by a Housing Officer in the Housing Options Team or an Occupational Therapist.
- 3.3.5 Blaby District Council will advertise all vacancies as they become available; this includes those properties that are suitable for the needs of disabled home seekers, or those that have been specially adapted in some way. The Council will include information on the level of adaptations and/or accessibility features within the property advertisement.
- 3.3.6 These properties will be graded according to the level of access or adaptation. The categories that are used are shown below, and will be clearly identified within the adverts:
- A. A property that is fully suitable for a wheelchair to be used inside.
 - B. A wheelchair accessible property.
 - C. A property with street-level access.
 - D. A property with no stairs but which could have 1 or 2 steps.
 - E. A property with a ground floor toilet but which has stairs or steps.
 - F. A standard property suitable for disabled people who need extra space.

- 3.3.7 The property categories are intended to match up with the mobility level categories. The property types A and B are fully wheelchair accessible. As there is a limited amount of property of this kind, it is only available for people who have been assessed as needing it, i.e. those with an A or B category.
- 3.3.8 Property types C to F are suitable for those people for whom it has been recommended but are also available to general applicants. There is no preference given to home seekers with mobility needs over applicants without mobility needs for properties C to F other than their priority under the banding scheme.
- 3.3.9 Home seekers with a C – F category who are below the age of 50 will not normally be eligible to respond to properties advertised for people above 50 years of age.
- 3.3.10 Any home seeker must consider carefully the property that they apply for, especially if additional work is required, as to how suitable the property is for such work.

4 Local Connection and Bidding for Properties

- 4.1.1 Priority will be given to applicants who have one or other type of local connection as defined below. Property adverts will identify what type of local connection priority is being given.

4.2 Sub-regional connection

- 4.2.1 For all property vacancies advertised within the sub-region preference will be given to those with a sub-regional connection over applicants who have no connection. Under the policy applicants from outside the sub-region and with no local connections will normally be placed in the lowest band. The exception will be home seekers who have been placed in the Priority Housing Need or High Housing Need bands, where there is a recognised need for them to relocate away from their existing home district. Examples will include households fleeing the threat of violence and other households advised not to return to a particular area.
- 4.2.2 A Sub-regional connection is defined as a connection to any one of the seven district council areas in the sub-region.
- 4.2.3 Equal priority will be given to any applicant who has a sub-regional connection (i.e. a connection to any one of the district areas) for properties advertised in the sub-regional pool, however, there should be an option available to give preference to those with a district level connection, where the property type may be in short supply locally. Use of this facility should be the exception rather than the rule and its use will be monitored to ensure it is being applied fairly.

4.3 District Connection

- 4.3.1 When properties are not advertised in the sub-regional pool, preference will normally be given to home seekers with a local connection to the host district. For properties advertised in the sub-regional pool, that are considered to be a scarce resource (for example properties that are assessed as meeting A/B mobility standards) a preference for applicants from the host district may also be applied. Use of this provision should be exceptional rather than routine and is there to encourage councils to include such opportunities within the pooling arrangement.

4.4 Definition

- 4.4.1 The following rules will be used to define District Level Connection (and therefore the Sub-regional connection as well). A district connection is established by one or more of the following:

1. They currently reside on a permanent basis within the district
2. They have lived in the district for at least 6 months in the last 12 months, or for at least 3 out of the last 5 years.
3. They, or a member of their household is employed on a permanent basis or a temporary contract running for a minimum of 12 months, within the district (confirmation would be required from the employer)
4. They have parents, brothers, sisters, or adult children (those over 18 years) who have been living within the district for at least 5 years. Step equivalents will be allowed.
5. They have no local connection but are fleeing violence or threats of violence and have been accepted as priority homeless by the council.
6. Other special circumstances may exist, and all applications will be considered on their individual circumstances.

4.4.2 The following exceptions to the rule of establishing local connection will normally apply:

1. Time spent in any prison or secure unit
2. Time spent in hospital
3. Time spent in any institution such as a refuge or rehabilitation.

4.5 Sheltered Housing and Extra Care Housing

4.5.1 Home-seekers will need to be assessed as eligible to apply for sheltered housing before they are able to bid. They will need to satisfy any age rules in that area and/or be assessed as having a support need that can be met within sheltered housing.

4.5.2 Elderly or disabled home seekers with demonstrated care and support needs will be eligible to bid for Extra-Care Sheltered Housing should it become available.

4.6 Bidding

4.6.1 Home-seekers will be allowed three bids per advertising cycle. Home-seekers can cancel bids and place them on other advertised properties at any time during the bidding period. Home-seekers will be informed of their position in the short-list at the time of bidding.

4.6.2 In addition, they may respond to adverts for shared ownership or private renting opportunities with no limit.

4.7 Short-listing

4.7.1 Home seekers bidding for properties will be short-listed in the following order:

1. By local connection qualification
2. By Band
3. By effective date (= date of registration or more recent date of change of priority)

4.8 Refusals

4.8.1 Applicants who make seven refusals will have their application suspended pending an interview to review their application.

5 Banding Scheme

5.1.1 The housing needs of each household will be considered and assessed. All home seekers who are eligible to join the housing register will be placed in one of four priority bands. The four bands are as follows:

- Low Housing Need
- Medium Housing Need
- High Housing Need
- Priority Housing Need

5.2 *Band 1: LOW HOUSING NEED*

5.2.1 Applications will be accepted but placed in the lowest band in the following circumstances:

- The home seeker does not have a qualifying local connection to any of the districts within the Leicestershire sub-region.
- The home seeker has the financial resources available to meet their housing costs. This would include households whose income or savings were over the current approved levels or with sufficient equity in their property to purchase or rent suitable accommodation (see definition of affordability in section 8).
- The home seeker is a new applicant with security of tenure and no welfare or medical need and is the owner or joint owner of a residential property. This may include home owners or joint home owners, private tenants with security of tenure, home seekers with statutory property rights under the Family Law Act 1996 and social tenants from outside of the sub-region.
- The home seeker owes more than £300 as a housing related debt to any of the partner Councils or another social landlord and there is no satisfactory arrangement to repay the debt or where regular payments have not been maintained in accordance with an agreed payment plan for at least twelve consecutive weeks at the time of application and at the time of any offer being made.
- Housing related debts include rent arrears on a current or former property and sundry debts such as court costs, rechargeable repairs, repayments required on rent deposit schemes or other homelessness prevention measures. Outstanding debts with private sector landlords may also be included, unless there is evidence of genuine hardship. Where the home seeker is able to demonstrate that they have maintained a payment plan for more than 12 consecutive weeks, they can contact the Housing Options Team to request that their priority is re-assessed.

- The home seeker has been guilty of behaviour which affects their suitability to be a tenant within the last twelve months. The behaviour is serious enough that enforcement action would normally have been taken but does not warrant exclusion from the housing register. This relates not only to the home seeker but also other members of their household. If there is a relevant change in the household's circumstances during the twelve month period the applicant can contact the Housing Options Team to request that their priority is re-assessed.
- The home seeker is a transfer applicant who is only eligible for a move to the same size of property and who does not have a welfare, medical or other exceptional need to move. This is termed a 'like for like' transfer.
- The home seeker is a joint tenant of a Housing Association property where the other party does not wish to move.
- The home seeker only wishes to be considered for low cost home ownership schemes.

5.2.2 Home seekers who have deliberately worsened their circumstances to gain an unfair advantage over other Home Seekers on the housing register will normally remain in the Low Housing Need Band for a period of 12 months. The application will then be reassessed. If there is a relevant change in the household's circumstances during the twelve month period the applicant can contact the Housing Options Team to request that their housing need is re-assessed.

5.3 Band 2: MEDIUM HOUSING NEED

5.3.1 Preference will be given to home seekers who fall into one of the following categories: -

1. Homeless households

This could include:

- Homeless households who are deemed eligible for assistance but do not qualify for a full housing duty because they do not have a priority need, or they have made themselves intentionally homeless.
- A home seeker who has been assessed as being threatened with homelessness in less than 56 days, is considered to be in priority need and has been through homeless prevention options with the Council and all other options have been exhausted.

2. Poor housing conditions – households living in insanitary or otherwise unsatisfactory housing conditions.

This could include:

- Households lacking adequate toilet, bathing or cooking facilities.
- A property that although not unfit for habitation is in a serious state of disrepair and poses a high health and safety risk to the applicant. This could include properties where there is inadequate lighting, heating and ventilation or where there is ineffective drainage for waste and surface water. This will be assessed in partnership with an Environmental Health Officer (EHO). The EHO will consider using the powers available to secure that the property is made fit.
- In exceptional circumstances other poor housing conditions will be considered. These will be considered where there is evidence that the housing conditions are having a detrimental effect upon the welfare or health of the household.

3. Medical Need to move

Households with a medical, disability or mobility problem.

This could include:

- Verified high medical need where a move will improve or prevent the deterioration of a condition. This will apply when a home seeker's condition is currently directly affected by their accommodation and a move is needed to have a positive effect on their condition, or whereas as a result of their condition their current accommodation is not suitable to their needs. An investigation will be carried out.
- Level access accommodation is required and there is no prospect of adaptations to the home seeker's current property within 12 months. Suitable proof will be required, i.e. confirmation from a local occupational therapist and landlord. The home seeker may be referred to local agencies for assistance with adaptations.

4. Welfare need to move

This could include:

- Home seekers suffering from harassment or neighbour nuisance, such as verbal abuse or damage to the property. The problems will have been reported to the landlord and/or the Police for action but a satisfactory conclusion not found. The harassment is not at a level whereby the home seeker has an emergency need to move.

- The need to be near relatives to give or receive support. This would only apply where NOT moving would cause emotional, physical or financial hardship to either party.
- The need to move closer to a specialist educational or other organisation, agency or institution. This would only apply where NOT moving would cause emotional, physical or financial hardship to either party.
- The home seeker has found permanent employment in the district and needs to move closer to work, or will otherwise lose their employment. An investigation will be undertaken; this will involve contacting the applicant's new employer.

5.3.2 For applicants given priority using this category, restrictions may be placed on their bidding to limit choice to the areas they have demonstrated a need to move to.

5. Short term accommodation

This would include:

- Currently rent accommodation privately either on assured shorthold tenancies, or as a lodger.
- Living with family, relatives or friends.
- Households accommodated for a limited period on non-secure tenancies or on license agreements in hostels or other supported accommodation.
- Owner of residential property where a member of the household has a medical, social or economic reason to move. This would include applicants unable to maintain their current property but with insufficient equity to purchase or rent suitable accommodation, elderly people living in isolation and/or requiring an element of care.
- Transfer home seekers seeking different size accommodation.
- Transfer home seekers seeking a like for like transf

5.3.3 As with the welfare need above restrictions may be placed on an applicants choice of area where a social need to move has been awarded as an applicant needs to move to a particular location.

5.4 Band 3: HIGH HOUSING NEED

5.4.1 A home seeker who has been assessed as having two or more needs from the following sections of the Medium Housing Need Band. No more than one factor to be taken from each of the main banding categories.

1. Homeless households
2. Poor Housing Conditions
3. Medical Need to Move
4. Welfare Need to Move

5.4.2 Please note that Short Term Accommodation category (5) cannot be combined in this way.

5.4.3 A home seeker will not be placed in the High Housing Need Band if the 2 or more needs are from the same section.

5.4.4 The following circumstances will also qualify a home seeker to be placed in the High Housing Need band:

1. Home seekers where there is overcrowding by two or more bedrooms short of the assessed need.
2. A home seeker who is living in supported accommodation and the Council has a formal move on agreement with the housing provider or their key worker has agreed that independent accommodation would now be appropriate.
3. Transfer home seekers who are under-occupying a home which is in high demand from other home seekers and where there may be assistance available from a local tenant's incentive scheme.

5.4.5 Home seekers in a High Housing Need band category can remain in this category for up to 24 weeks. If no suitable properties come available during the period, or the home seeker has not been successful in their search for accommodation their application will be reviewed. In exceptional circumstances applicants can be granted an extension to the 24 weeks. The length of the extension will be determined by the Housing Needs Manager.

5.4.6 Home seekers in the High Need category retain the right to respond to properties of their choice. Applicants will be expected to consider all suitable properties. Failure to respond to suitable properties or refusal of an offer of suitable accommodation will be taken in to account if the application is reviewed at the end of the 24 week period.

5.5 Band 4: PRIORITY HOUSING NEED

5.5.1 Home seekers who have been assessed as having an emergency need to move will be placed in the Priority Housing Need band. Home seekers can remain in this band for a period of up to 12 weeks. If no suitable properties have become available during the 12 week period, or the home seeker has not been successful in their search for accommodation, their application will be reviewed. In exceptional circumstances applicants can be granted a further 12 weeks in the priority need category.

5.5.2 Home seekers in a priority need category retain the right to respond to properties of their choice. Applicants will be expected to consider all suitable properties. Failure to respond to suitable properties or refusal of an offer of suitable accommodation may result in priority not being renewed at the end of the 12 week period.

5.5.3 The relevant date for short-listing home seekers placed in the priority band will not be the date they joined the housing register, it will be as follows

1. Homeless households – their date will be the date they presented as homeless
2. All other priority households – their date will be the date a decision on priority was made.

5.5.4 Priority need to move will be recognised in the case of:-

5.5.5 Homeless Households

5.5.6 Households to whom the Council has a statutory duty to secure accommodation under S193 as described by Part VII Housing Act 1996 and amended by the Homelessness Act 2002.

5.5.7 Emergency welfare need

5.5.8 Circumstances could include (this is not an exhaustive list):

1. Home seekers who are subject to severe harassment, threats of violence or actual violence or threats of physical, emotional or sexual abuse.
2. Home seekers living in a property where the conditions are classified as unsafe or risk of imminent harm which cannot be remedied within a reasonable time (not resulting from damage caused but the applicant).
3. Home seekers living in a property that is statutorily overcrowded
4. Care leavers and other vulnerable home seekers whose social or economic circumstances are such that they have difficulty in

securing settled accommodation. The home seeker will have been through their housing options with the Council and all other options will have been exhausted.

5.5.9 Emergency medical need

5.5.10 Circumstances could include:

5.5.11 A home seeker with a progressive or chronic medical condition combined with other difficulties such as the need for adapted accommodation or the inability to be discharged from hospital to their current accommodation.

5.5.12 Complex housing needs

5.5.13 Would include a number of high need factors which taken together create an urgent need to move. This could, for example, be a combination of severe physical and learning disabilities combined with stress caused by harassment.

5.5.14 Management need

5.5.15 Circumstances could include (this is not an exhaustive list):

1. Tenants needing an emergency transfer because their current property is in need of urgent repair (includes demolition)
2. Home seekers succeeding to a tenancy that is not suitable to their needs who have lived in the property for at least the last twelve months
3. Home seekers who have no right in law to remain in their current RSL or council accommodation, i.e. they have no right of succession.
4. Tenants occupying a wheelchair adapted property they no longer need but which could be used by somebody else.

5.5.16 **Displaced agricultural workers** who qualify for assistance under the Rent (Ag) Act 1976

5.6 Moving between housing need bands

5.6.1 A home seeker's housing need band will change if their level of need changes

5.6.2 When a home seeker moves up to a higher housing need band their effective date will change to the date they moved in to the higher category. Home seekers moving to the priority housing need band because the Council has a full homelessness duty to them will have their effective date changed to the date they presented as homeless.

5.6.3 Home seekers who move to a lower band will retain their current effective date or the date they were previously in that category.

6 Property Size and Property Type

6.1 Defining bedroom requirements

- 6.1.1 The following rules will be used to determine the size of accommodation needed by a household.
- 6.1.2 A separate bedroom is needed for each of the following:
- Every adult couple or single parent
 - Any other adult aged 16 years or over
 - Any two children aged under 10 years regardless of sex
 - Any two children aged under 16 years of the same sex
 - Any other child
- 6.1.3 In assessing any bedroom shortage in a household's existing accommodation, the best fit according to these rules will be taken, if that is different to the pattern of occupation of the existing accommodation.
- 6.1.4 Rooms that are in use for other purposes but could be used as bedrooms will also be included in the calculation.
- 6.1.5 The minimum size for a room to qualify as a bedroom is 6.5 mtr².
- 6.1.6 A single parent household is entitled to the same size accommodation as a two parent household with the same number of children.
- 6.1.7 Households that include a pregnant woman are assessed as if the baby has already been born (i.e. the baby is counted as a child), where the expected date of delivery is within six months. The system should be set to automatically add a child to the household at the expected date of delivery.
- 6.1.8 Where there is evidence of a need for a member of the household to have a separate bedroom (for example, for medical reasons, or because of behavioural issues), then an additional bedroom need can be allowed.
- 6.1.9 A child must spend a minimum 4 nights per week with the home seeker in order for them to be classed as a permanent resident. Exceptions will be considered, for example in circumstances where the child resides away from the home seeker on a temporary basis but their permanent home is with the home seeker.
- 6.1.10 Where a parent has access to their children but does not provide the main family home, an additional bedroom need may be awarded to allow the children to sleep over. In order to qualify the parent would need to be providing at least two nights of secondary care on a regular basis.

- 6.1.11 Where an applicant has care or support needs that require overnight assistance on a permanent or casual basis, then the need for an additional bedroom can be awarded to permit this. This can include prospective foster carers, on evidence that a foster care allowance has been granted.
- 6.1.12 Home seekers awarded priority on the basis of having a bedroom shortage may be overlooked if they bid successfully on a like-for-like property.
- 6.1.13 Large families (ie. those with five or more children) may be given additional priority over smaller households for properties with four or more bedrooms.
- 6.1.14 Home seekers will be allowed to bid for the size and type of property as shown in Appendix 2. In some circumstances the opportunity may be given to bid for larger properties where they are in low demand.

7 Other Factors

- 7.1.1 The definition of an elderly couple is where at least one of the partners meets the age criteria. In general there will be no lower age limit on any partner, except when this is specified in the property advert.
- 7.1.2 A family with a disability is defined as a household where at least one of the members has a mobility need and they have been assessed as requiring a property with adaptations matching the A/B key category (see section 9)

8 Rural Lettings Schemes

- 8.1.1 The Council is keen to take account of factors which would contribute to sustaining rural communities whilst ensuring that the Council continues to give due weight to the reasonable preference categories required by legislation.
- 8.1.2 To enable this, the Council will set a target for the proportion of lettings in villages to be let to applicants with a local connection with the village where the letting occurs.
- 8.1.3 Where applicants have a strong connection with a particular village, the Council will ask them to detail this on their application. This will enable them to be actively considered for any housing development, which takes place in areas where they hold such a connection, and to be considered under any established local letting policy.
- 8.1.4 Local connection with a specific village will be defined as:-
- living in the village for at least the previous five years; or
 - having permanent employment in the village; or
 - having at least ten years previous residence in the village if not currently residing there; or
 - applicants over 55 or with a disability requiring support on medical grounds from relatives currently living in that village;
 - having close relatives living in the village for a period of at least five years. Close relatives are defined as parents, children, siblings, grandparents or grandchildren (including step relatives).
- 8.1.5 The above does not apply to rural exception sites where properties are let to local people only in accordance with the relevant planning agreement and in consultation with the specific Parish Council and Registered Social Landlord. These schemes fall outside of the Council's Allocation Scheme and every endeavour is made to nominate those with a local connection.

9 Local Lettings Plan

- 9.1.1 Housing Associations may, in exceptional circumstances, agree local lettings policies with the Council. Such policies should be for a defined period and for a defined and valid reason. All applicants who wish to be nominated for homes in the estate or area concerned must be advised of the local lettings policy.
- 9.1.2 Local letting plans may be used to address hard to let homes, to address social problems or to promote balanced and sustainable communities. Local lettings policies should only be applied after consultation with relevant stakeholders (for example, parish or town councils, the police, social services and other relevant statutory and voluntary agencies and local residents in the area of the proposed local lettings policy). There must be evidence that a local lettings policy is needed, that its use is supported by the local community and that it is likely to address the problems identified. Local lettings policies should be reviewed regularly and should be relinquished as soon as the reason for them no longer applies.

10 Agricultural Workers and the Rent (Agriculture) Act 1976

- 1.1.1 Under the Rent (Agriculture) Act 1976 Blaby District Council has a duty towards agricultural workers who are required to leave their tied accommodation. Blaby District Council will use their best endeavours to provide accommodation for displaced agricultural workers.
- 1.1.2 When considering an application from a displaced agricultural worker Blaby District Council will need to be satisfied that:-
- the property from which the worker is displaced is needed to accommodate another agricultural worker
 - the farmer cannot provide suitable alternative accommodation for the displaced worker
 - to rehouse the vacating worker would be in the interests of efficient agriculture.
- 1.1.3 All 3 conditions need to be satisfied.
- 1.1.4 In reaching a decision Blaby District Council will seek the advice of the Agricultural Dwelling House Advisory Committee (ADHAC). The ADHAC will advise whether or not the applicant should be asked to vacate the tied accommodation and make recommendations as to the urgency of their re-housing.
- 1.1.5 If Blaby District Council is satisfied that the case is substantiated the displaced worker will be included in the 'Priority Need' band.
- 10.1.1 If the case has not been substantiated then Blaby District Council will assess the application in the standard way.

11 Complaints Procedure, Service Issue

11.1.1 If an applicant wishes to register a complaint about the service provided by Blaby District Council or if they feel they have been treated unfairly by one of the landlords within the partnership then the applicant should be encouraged to register their dissatisfaction through the complaints procedure.

11.1.2 The applicant should advise the Officer, (with whom they have been dealing), of the nature of their complaint. The complaint can be made in person or in writing. The Officer will then acknowledge and record the complaint. All complaints will be investigated and wherever possible, a full response will be sent to the applicant within seven working days from receipt.

11.1.3 If the complaint relates to the service offered by the Officer they have been dealing with, then the applicant should bring their complaint to the attention of the Housing Options Manager who will conduct all enquiries relating to the complaint in a fair and sensitive way.

11.1.4 If the complainant is then not satisfied with the response received he/she may write to the Housing and Community Services Manager, Blaby District Council, Desford Road, Narborough, Leicester. LE19 2EP, setting out the following details:-

- name, address and telephone number
- the nature of the complaint
- the date the complaint was first made and to whom
- the reason for dissatisfaction with the response received
- how they would like to see matters put right
- copies of correspondence (if any) relating to the complaint
- any additional relevant information to that already received

11.1.5 Where possible the Officer will aim to instigate enquiries and respond to the complaint within 15 working days. If this is not possible then the Officer will let the complainant know within 15 days when they can expect a reply.

11.1.6 All correspondence will be sent to the complainant's home address or a mailing address of their choice. If the complainant is of no fixed abode then the correspondence can be collected from the council offices. Correspondence will be kept at the Council Offices for a period of 28 days.

11.1.7 If the complainant remains dissatisfied with the service they may request a review of their complaint by the Chief Executive which will follow the procedure set out in Blaby District Council's Official Complaints Procedure.

11.1.8 Details of Blaby District Council's Official Complaints Procedure can be obtained from Blaby District Council, Desford Road, Narborough, Leicestershire. LE19 2EP or by telephoning 0116 275 0555.

APPENDIX A - SIZE AND TYPE OF PROPERTY HOME-SEEKERS MAY NORMALLY MAKE BIDS FOR (GENERAL NEEDS HOUSING)

	Single Person	Single person with access* to children	Couple	Couple/lone parent plus one other	Couple/lone parent plus two others	Couple/lone parent plus three others****	Couple/lone parent plus four or more others
Studio flat	√	√					
1 bedroom flat	√	√	√				
1 bedroom house	√	√	√				
1 bedroom bungalow	√	√	√				
2 bedroom flat	(√)	√	√	√	√		
2 bedroom house	(√)		(√)	√	√		
2 bedroom bungalow	(√)		√	√			
3 bedroom house **				(√)	√	√	√
3 bedroom flat/maisonette				(√)	√	√	√
3 bedroom parlour*** house					√	√	√
4+ bedroom house						(√)	√

Notes

* Single person with children who do not live with them on a permanent basis.

** In some circumstances larger sized houses may be opened up to families with a two bedroom requirement.

*** A Parlour House is a house with a separate dining room.

**** Households with three dependents, with one or more over the age of sixteen, may be entitled to bid for four plus bedroom houses.

() In some locations two bedroom property types may be opened up for households with a one bedroom requirement, three bedroom properties may be open to those with a two bedroom requirement and four bedroom properties for those with three dependents, at least one of whom is aged 16 or over.

[] In some locations three bedroom properties may be opened up to households with a two bedroom requirement

Where a household contains a pregnant woman the expected child counts as an extra member of the household.

If an applicant needs an additional bedroom for a live-in carer then the carer can be added to the household.

SHELTERED ACCOMMODATION FOR ELDERLY PEOPLE AND OTHERS WITH A SUPPORT NEED

Housing with support or scheme manager or with fitted alarm call system. Details of the support available will be given in the property advert.

	Single elderly person	Younger single person with support needs	Elderly couple
Studio flat	√	√	
1 bedroom flat	√	√	√
1 bedroom bungalow	√	√	√
2 bedroom flat	√	√	√
2 bedroom bungalow	√	√	√

Age rules vary between 55 and 65 depending on the landlord organisation. Age limits will be shown on the property advert. The age limit normally only applies to the oldest partner in a couple.

APPENDIX B - AFFORDABILITY ASSESSMENT

Applicants will be placed in the lowest band if they are assessed as having sufficient means to be able to meet their own housing needs by buying or renting in the private housing market.

The following limitations apply:

If the household has specialist needs that cannot be met within the local housing market then the rules will not be applied. For example, if the need is for wheelchair standard housing and the existing property is not adaptable, or the home seeker needs housing with support services which is not available on the market.

The following thresholds will be used to assess whether a household has sufficient means to meet their needs in the private housing sector.

	Income Limit	Equity Limit	Savings Limit
Blaby	42,000	31,000	16,000
Charnwood	45,000	30,000	17,000
Harborough	58,000	35,000	22,000
Hinckley & Bosworth	45,000	29,000	18,000
Melton	47,000	29,000	18,000
North West Leicestershire	42,000	27,000	16,000
Oadby & Wigston	41,000	30,000	16,000
Overall Average	44,000	27,500	17,000

Figures are based on evidence within the Leicestershire Strategic Housing Market Assessment and updated to 2010 as follows:

Income limit

The lowest income required to buy an averagely priced home in the district with a 10% deposit and borrowing no more than 3.5 times combined income.

Equity limit

The Equity limit is based on the applicant(s) having equity equivalent to 25% or more of the average price within the lower quartile of house prices in the district (ie. the cheapest 25%). It is assumed this could be used to put down a deposit on a new home or be released and used to rent privately.

Savings Limit

The savings limit is equivalent to 10% of the cost of an average priced home in the district, or around 15% of the average price of a lower quartile priced home. It is assumed that the applicant(s) could use this as a deposit to buy a home or else use it to rent privately.

If the household fails any one of these three tests, then they will be registered in the Low Priority Band.i.e. if either their joint income, joint savings or equity exceed the threshold set for the relevant district.

The threshold amounts will be reviewed annually to take account of changes in housing market prices.