



CHARNWOOD BOROUGH COUNCIL

CHOICE BASED LETTINGS (CBL) ALLOCATIONS POLICY

April 2014

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1. LEGAL BACKGROUND

The Allocations Policy takes into consideration all legal requirements outlined in the Housing Act 1996, Part VI; amendments made under the Homelessness Act 2002; the Fair and Flexible statutory guidance on social housing allocations for local authorities 2009 and the Localism Act 2011. This Allocations Policy provides a framework for assessing housing need and priority, and determining who will be nominated to Registered Providers (RPs) for housing.

2. STATEMENT ON CHOICE

Charnwood Borough Council (CBC or 'the council') operates a choice based lettings (CBL) scheme.

CBC participates in a sub regional CBL scheme.

CBC seeks to give every eligible homeseeker (i.e. applicant) choice in relation to accommodation. However the council may have to limit choice in certain circumstances due to limited availability of social housing stock.

The Allocations Policy ensures that homeseekers in urgent housing need are given reasonable preference within the CBL scheme.

3. LETTINGS WHICH ARE NOT COVERED BY THIS POLICY

The majority of lettings to CBC accommodation and nominations to Registered Provider accommodation, where the council has a right to nominate to the property, will be covered under the scheme.

A number of allocations are not covered by the Allocations Policy. These are:

- a) Management allocations (see section 31)
- b) Introductory to secure tenancies
- c) Offers of tied accommodation made to CBC employees
- d) Succession to a qualifying person after a tenant dies
- e) Mutual exchanges (see section 33)
- f) Tenancies changed by court order (matrimonial and children)
- g) Arrangements with other Registered Providers – (i.e. nominations to Registered Providers properties that become vacant as a result of the tenant/s transferring to CBC stock)

4. EQUAL OPPORTUNITIES

CBC promotes equal opportunities in all services provided by the council. Our aim is to implement and maintain services which ensure that no potential or current homeseeker is treated less favourably on the grounds of gender, marital status, race, nationality, ethnic

or national origin, disability, age or sexual orientation nor is disadvantaged by the application of a criteria which has a discriminatory effect which cannot be justified by law. Assistance is available to ensure all households are able to access the CBL scheme and includes the following:

- Information is available in different formats, for example, large print or on audio tapes
- Information can be translated into a number of community languages
- Homeseekers who are unable to search and bid for properties online will be assisted

If you need the help and assistance of a Housing Officer, contact the Housing Needs team on 01509 63 45 67.

CBC operates in accordance with its equal opportunities policy. A copy of the policy is available from Charnwood Borough Council, Southfields, Loughborough LE11 2TT.

5. DATA PROTECTION

Homeseekers have the right to request information on all decisions made in relation to their application. This includes the information used to assess housing need priority.

All information provided will be used for the homeseeker's application for housing only, and will be held in accordance with the Data Protection Act 1998. In normal circumstances, this information will only be disclosed to partner Registered Providers or other landlords who may be able to offer accommodation.

Information will not normally be passed onto any third parties without the homeseeker's prior written consent **or**, in exceptional circumstances, where disclosure without consent is warranted. These exceptional circumstances are defined below:

- a) There are overriding legal, social or public interest considerations, for example, there is a risk of serious harm to the homeseeker themselves or others if the information is not disclosed
- b) Information is required by the police as part of a criminal investigation
- c) Information is required by an authority for the assessment or collection of any tax or duty of a similar nature
- d) To detect and prevent fraud
- e) Information may be required for statistical purposes in which case the council may pass information, in confidence, to the relevant government department

6. OBJECTIVES OF THE CBL SCHEME

- To meet the legal requirements for the allocation of affordable housing under Part VI of the Housing Act 1996 (as amended by the Homelessness Act 2002)

- To ensure appropriate levels of priority are afforded to homeseekers
- To ensure priority status for homeseekers with a local connection to the sub region with an urgent housing need
- To offer homeseekers as much choice as is reasonably possible
- To let properties in a fair and transparent way
- To support and assist vulnerable homeseekers so that they are able to actively participate in the CBL scheme
- To provide feedback to homeseekers about homes let through the CBL scheme
- To encourage and support sustainable communities and social inclusion
- To ensure homeseekers are treated fairly and in accordance with the council's Equal Opportunities Policy
- To make best use of affordable housing in meeting the needs of the local community
- To ensure that properties are let as quickly as possible

7. SUB REGIONAL CBL SCHEME

Seven local authorities in Leicestershire (excluding Leicester City Council) have formed a partnership to offer CBL across all seven districts. The aim is to provide homeseekers within Leicestershire a wide choice of affordable housing options and give them more control over which properties they are offered.

The seven local authorities that make up the Leicestershire sub region are:

- Blaby District Council
- Charnwood Borough Council
- Harborough District Council
- Hinckley & Bosworth Borough Council
- Melton Borough Council
- North West Leicestershire District Council
- Oadby & Wigston Borough Council

The partners agree to pool up to 10% of their general needs housing vacancies sub regionally over the course of a full year. There will be a representative spread of properties.

The partners also agree to pool sub regionally a minimum of 10% of their sheltered housing.

Specialist housing for homeseekers with physical disabilities will be added to the sub regional pool.

Property vacancies in the sub regional pool will be open to all homeseekers in the sub region, subject to any restrictions stated in the advert. The following restrictions may be placed on properties:

- By homeseeker type (i.e. transfer homeseeker or new homeseeker)
- By support needs (i.e. sheltered, extra care or supported accommodation)
- By banding (i.e. priority, high, medium, low)
- By the age of the homeseeker
- By household type and size (see Appendix A for more information)

In normal circumstances, equal priority will be given to homeseekers in the same band and with a connection to any part of the sub region. However in some circumstances preference may be given to homeseekers with a district connection to the host area, for example, where homeseekers require a larger property, a wheelchair adapted property or a property in a village in which properties are in short supply (this list is not exhaustive).

8. THE HOUSING REGISTER

CBC maintains a register of homeseekers who have applied for accommodation with the councils or Registered Providers operating in the Leicestershire sub region. Properties that become available to let will normally be allocated to homeseekers on the Housing Register.

9. JOINING THE HOUSING REGISTER

All applications will be assessed in accordance with regulations on whether a homeseeker is eligible to join the Housing Register.

Additional criteria for joining the Housing Register are provided below:

- Homeseekers must be aged 16 years or over
- Every homeseeker must complete a Leicestershire CBL housing application form. Only one application form needs to be completed and the homeseeker must choose which local authority to apply to. The information given on the form must be accurate. The council reserves the right to disqualify any homeseeker from joining the Housing Register, withdraw an offer of a tenancy, or recover possession of an existing tenancy, if the homeseeker has knowingly provided false information. Homeseekers will be required to provide documentary evidence to support their application, for

example, proof of income, benefits, access rights to children, or levels of capital. . The host authority will determine the band and all other relevant factors for the homeseeker.

- An individual will only be able to be included on one application at any one time either as a homeseeker or as a member of the household.
- The council will make any other enquiries it deems necessary in order to assess the application. This may involve contacting, for example, previous landlords, health or medical advisors, the police, etc
- An application will only be included on the Housing Register if all necessary information has been provided
- Homeseekers aged 16 and 17 years will be assessed in the same way as all other homeseekers, however, they will be required to provide details of a guarantor or trustee. This 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. Where homeseekers are aged 16 or 17 years, an offer of accommodation will only be made if they have an appropriate guarantor or trustee in place
- Homeseekers aged 16 or 17 years will also be subject to locally agreed protocols which determine the type of property and support services they can be considered for
- Homeseekers currently serving a custodial sentence will be eligible to apply to join the register whilst serving their sentence but will not receive any offers of accommodation during this period. On release they should contact the Housing Needs Team to update their circumstances and complete a change of address form
- Registered Providers operate different policies in this area so homeseekers may be ineligible for nomination for certain properties

10. EXCLUSIONS FROM THE HOUSING REGISTER

Homeseekers should note that the Eligibility Amendment Regulations (amending regulations 4 and 6 of the Eligibility Regulations) specify that certain persons are ineligible for an allocation of housing accommodation or homelessness assistance.

Homeseekers are not eligible to join the Housing Register if they:

- a) Are subject to immigration controls under the Asylum and Immigration Act 1996 (section 160 ZA), unless they:
 - Already hold a secure tenancy allocated by a council
 - Already hold an assured tenancy allocated by a Registered Provider
 - 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 which has ratified the European Convention on Social and Medical Assistance (ECSMA) or the European Social Charter

Any application identified as falling under the Asylum and Immigration Act 1996 will be assessed in accordance with the Act. The council reserves the right to seek independent advice and assistance to resolve the issue of eligibility.

- b) Are not 'habitually resident' in the United Kingdom
- c) Are guilty of unacceptable behaviour serious enough to make them unsuitable as a tenant

This applies if the homeseeker or any member of their household is guilty of such behaviour and when making the decision the council will consider:

- i) What action a landlord would have taken against the perpetrator of the unacceptable behaviour.

The behaviour must be serious enough that a Registered Provider would have been entitled to a possession order under schedule 2 of the Housing Act 1985 or schedule 2 of the Housing Act 1988. For 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.

- ii) Whether the behaviour is serious enough to make the homeseeker unsuitable as a tenant. For example, accrual of rent arrears which have resulted from factors outside of the homeseeker's control such as delays in Housing Benefit payments or liability for a partner's debts are not serious enough to make the homeseeker unsuitable as a tenant.
- iii) 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.

- d) Have been convicted of violence towards a partner or a member(s) of the household.
- e) Fall under the Eligibility Amendment Regulations (amending regulations 4 and 6 of the Eligibility Regulations) which specify that the following persons are ineligible for an allocation of housing accommodation or homelessness assistance:
 - i) Persons who have rights of residence in the UK as a result of regulation 15A (1) and (4A) of the Immigration (European Economic Area) (Amendment) (No2) Regulations 2012 (the EEA Amendment Regulations)

- ii) Persons who have a right derived from Article 20 of the Treaty on the Functioning of the European Union (i.e. rights of residence arise as a British citizen would otherwise be deprived of the genuine enjoyment of the substance of their rights as a citizen of the European Union)

The Eligibility Amendment Regulations make provision for persons who have equivalent rights of residence in the Channel Islands, the Isle of Man or the Republic of Ireland (i.e. the Common Travel Area).

- f) Do not have a local connection (see section 15 for more information) to any of the seven districts within the Leicestershire CBL scheme.
- g) Have the financial means to meet their own housing needs **except** homeseekers who demonstrate they have a support need for supported, sheltered housing or extra care which they cannot purchase or rent on the open market (see Appendix A).
- h) Are considered to lack the mental capacity to enter into a tenancy agreement and meet the obligations of holding a tenancy.
- i) Are introductory or probationary tenants unless exceptional circumstances exist.

The council will take into account all other relevant factors such as health and dependants before a decision to exclude is made.

Homeseekers will be informed in writing of the reason(s) an application has been rejected. Homeseekers will have the opportunity to appeal against a decision if they feel it is incorrect (see section 35 for the Appeals Process).

If a homeseeker who has been refused entry onto the Housing Register due to unacceptable behaviour considers that the unacceptable behaviour should no longer be held against them, they should complete a new application form. The council must be satisfied that there has been a sufficient lapse of time since the previous application was submitted or that the homeseeker's behaviour has changed.

If at any time the council obtains evidence that a homeseeker already accepted onto the Housing Register is ineligible, then the homeseeker will be advised that their application will be cancelled. Homeseekers will have the opportunity to appeal the decision if they believe the decision is incorrect (see section 35 for the Appeals Process).

11. JOINT TENANTS

Where an existing council tenant or a tenant of a Registered Provider makes a new application for a joint tenancy, the application for a joint tenancy will be accepted only if both homeseekers are existing joint social tenants (of Charnwood Borough Council or a Registered Provider).

Charnwood Borough Council and the partner landlords will consider offering a joint tenancy to household members who have long term commitments to the home, for example when adults share accommodation as partners, friends or unpaid live-in carers.

A homeseeker may add a joint homeseeker or household member to their application. Checks will be made to ensure those to be added are eligible to join. The homeseeker's application will be reassessed and they will be notified of any changes, for example a change in their banding.

A joint homeseeker may wish to be removed from a joint application and have an application in their own name. Any such requests should be made in writing to the Housing Needs team and the homeseeker's new application will be backdated to the date they joined the original application.

When a joint tenant serves notice to quit the partner landlords can exercise their discretion and grant the remaining joint tenant a tenancy in their sole name if they consider this is making best use of their stock.

12. HOUSING REGISTER RENEWAL

Homeseekers will be contacted periodically and asked to confirm whether they wish to remain on the Housing Register and/or whether their circumstances have changed.

Homeseekers will be expected to respond to the renewal request within 28 days. Failure to respond will normally result in the application being cancelled.

Homeseekers can make a request for the application be reinstated if they believe that it has been cancelled incorrectly or unreasonably, for example, if a homeseeker 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 homeseeker has the right to request a review of this decision (see section 35 for information about the Appeals Process).

13. HOMESEEKER TYPES

a) Transfer homeseekers

The following will be regarded as transfer homeseekers:

- Any existing social housing tenant with a secure, full assured tenancy or a flexible tenancy with a local authority or registered provider within the Leicestershire CBL region.

Introductory tenants will not normally be eligible to join the Housing Register unless exceptional circumstances exist

Where a local authority has set targets or quotas for transfer moves, it may restrict bidding on certain vacancies to homeseekers defined in this way

All household members must normally vacate their current property for an application to be considered a transfer.

b) New homeseekers

Where homeseekers are not transfer homeseekers, they will be new homeseekers.

c) Homeseekers with a disability or mobility need

Where homeseekers have indicated a requirement for ground floor accommodation or accommodation that has been specially adapted to aid mobility, they will be asked to complete a separate Mobility Assessment Form. In some circumstances, homeseekers may be required to provide a Social Care Assessment.

Self selection 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 outside the property 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 where a step in or level access shower would ease or resolve my difficulties

If the homeseeker is a wheelchair user or needs a wheelchair accessible property, the council may arrange for an assessment to be undertaken. The self assessment will be verified by a Housing Officer in the Housing Needs team or an occupational therapist.

Where a property is advertised as having category F mobility facilities, preference may be given to homeseekers assessed as having a requirement for these facilities.

CBC will advertise all vacancies as they occur; these include adapted properties suitable for the needs of disabled homeseekers. The adverts will include information on the level of adaptations and/or accessibility features within the property.

Adapted properties will be graded according to the level of access and/or adaptation and are intended to match the mobility categories.

Adapted property categories

- A. A property that is fully suitable for a wheelchair to be used inside and benefits from floor draining shower, etc
- B. A wheelchair accessible property (i.e. has ramped access, wide entrance door)
- C. A property with street-level access (i.e. has no steps at the entrance)
- 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 homeseekers requiring a level access/step in shower

Property types A and B are fully wheelchair accessible. There is a limited amount of property of this kind and hence it is available for homeseekers that have been assessed with a category A or category B mobility need.

Property types C-F are suitable for homeseekers where certain adaptations have been recommended or for homeseekers who have self-assessed their mobility needs in one of these categories. These properties are also available to general homeseekers.

Homeseekers recommended a C-F category property aged below the minimum age on the advert will not normally be eligible to bid for age restricted properties.

Homeseekers must consider carefully the property that they bid for, especially if additional work is required, as to how suitable the property is for such work.

14. ASSESSING HOUSING NEED

The housing needs of each homeseeker and all permanently resident members of their household will be considered and assessed. All homeseekers who are eligible to join the Housing Register will be placed in one of four bands:

- a) Low
- b) Medium
- c) High
- d) Priority

Homeseekers must notify CBC of any change in their housing circumstances. The council may need to undertake further enquiries before re-assessing the application. A homeseeker's application may move from one band to another as a result of the re-assessment.

If a homeseeker feels that the decision regarding their housing need is incorrect, they have a right to request a review of the decision (see section 35 for information about the Appeals Process).

15. LOCAL CONNECTION

Under the policy, homeseekers who do not have a local connection to any of the seven districts within the Leicestershire CBL scheme will be excluded from joining the Housing Register except in exceptional circumstances.

Local Connection is defined below:

a) District connection

A homeseeker has a district connection if any of the following apply:

- The homeseeker has normally resided in settled accommodation in the district for at least 6 months in the last 12 months, or for at least 3 out of the last 5 years
- The homeseeker, 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 will be required)
- The homeseeker has parents (including guardians), brothers, sisters, or children who have been living within the district for at least 5 years. Step equivalents will be allowed
- The homeseeker has no local connection but is fleeing violence or threats of violence and has been accepted as priority homeless by the council
- Other special circumstances may exist and all applications will be considered on an individual basis. For example a homeseeker may be treated as having a district connection if they are unable to return to the district where they actually have a connection.

'Armed forces personnel' will also be treated as having a district connection as follows:

- Armed forces and former service personnel where the application is made within five years of discharge
- The bereaved spouse/civil partner of members of the armed forces leaving services accommodation following the death of their spouse/civil partner
- Serving or former members of the regular or reserved forces who need to move because of serious injury, medical condition or disability [sustained wholly or in part] as a result of their service

The following exceptions to the rules for establishing a local connection will normally apply:

- Time spent in any prison or secure unit
- Time spent in hospital
- Time spent in any institution such as refuge, hostel or rehabilitation
- Armed forces personnel (see above)

Unless a property is advertised in the sub-regional pool, preference will be given to those applicants who have a district connection to the area where the property is located.

Homeseekers with multiple connections will be given the same preference for property vacancies in any of the areas to which they have a district connection, including homeless households.

b) Sub regional connection

A sub regional connection is defined as a connection to any one of the seven district council areas in the sub region.

Equal preference will be given to any homeseeker 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, the Housing Needs Manager will have discretion to award preference to homeseekers with a district level connection, where the property type may be in short supply locally.

c) Village / parish connection

A number of village housing schemes have planning restrictions in place which, in the first instance, require vacancies to go to homeseekers with a connection to the village or parish. These vacancies will not feature in the sub regional pool of properties and each local authority has its own local policy regarding village/parish connections.

The factors used to determine a village connection will normally be circumstances in which the main homeseeker or joint homeseeker can answer 'yes' to any one of the following statements:

- I have lived in the village for the last 5 years (or at least 12 months in North West Leicestershire)
- I work permanently in the village (i.e. at least 15 hours a week)
- I was born in the village or previously lived in the village for 10 years or more (or 3 years or more in North West Leicestershire)
- I have close relatives who have lived in the village for at least five years (or 3 years or more in North West Leicestershire). Close relatives are defined as parents, children, siblings, grandparents or grandchildren

- I need to move to the parish to be close to a relative or other person in order to provide or receive significant amounts of care and support

Homeseekers will be advised of any local differences in the advert.

Each property advert will state the type of local connection (i.e. district, sub regional or village/parish connection) that will have priority.

16. LOW BAND

Applications will normally be accepted and placed in the low band in the following circumstances:

- The homeseeker has security of tenure and no welfare or medical need. This may include the following:
 - Private tenants
 - Tied tenants
 - Social tenants (in assured, assured shorthold or secure tenancies)
 - Home owners
 - Joint home owners or those with statutory property rights under the Family Law Act 1996
 - Shared ownership owners
- The homeseeker owes more than £300 to any landlord, for a housing related debt, and has not been maintaining a satisfactory arrangement to repay the debt for the 12 weeks immediately prior to the assessment of the application.
 - Housing related debts include rent arrears on a current or former property, temporary accommodation and sundry debts such as court costs, rechargeable repairs, repayments required on rent deposit schemes or other homelessness prevention measures
 - Where the homeseeker is able to demonstrate that they have maintained a payment plan for more than 12 consecutive weeks, they should inform the Housing Needs team so that their band is re-assessed
 - Similarly, if the homeseeker cannot show that they have reduced their debt to less than £300 or maintained their arrangement for the 12 weeks immediately prior to an offer of accommodation being made, their band will be re-assessed as low. This may result in the property being offered to another homeseeker.
 - If there is evidence of genuine financial hardship or an overriding housing need, a home seeker may qualify for a higher band even if they have not been able to maintain an agreement for the specified time. Examples of genuine financial hardship include a reduction in income or benefits resulting in the homeseeker no longer being able to meet their housing costs or there is a lack of suitable

properties available to bid on. This will be determined by the completion of a financial assessment.

- The homeseeker, or any member of the homeseeker's household, has been guilty of behaviour within the last 12 months which affects their suitability to be a tenant. The behaviour is serious enough that enforcement action would normally have been taken but does not warrant exclusion from the Housing Register. The homeseeker will remain in the low band for a period of 12 months before the application is re-assessed. If there is a change in the household's circumstances during the 12 month period, the homeseeker should inform the Housing Needs team to request their application is re-assessed
- Homeseekers wishing to be considered for low cost home ownership schemes only
- Homeseekers who have deliberately worsened their circumstances to gain an unfair advantage over other homeseekers on the Housing Register will normally remain in the low band for a period of 12 months. The application will then be re-assessed. If there is a relevant change in the household's circumstances during the 12 month period, the homeseeker should inform the Housing Needs team to request that the application is re-assessed

17. MEDIUM BAND

Homeseekers will qualify for the medium band if they fall into one of the following categories:

a) 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 made themselves intentionally homeless
- A homeseeker assessed as being threatened with homelessness in less than 56 days who is considered to be in priority need and has been through homeless prevention options with the council and all other options have been exhausted

b) Poor housing conditions (i.e. households living in insanitary, overcrowded or unsatisfactory housing)

This could include:

- Housing that is not in a reasonable state of repair. Housing failing on this point will be properties where one or more key building components are old, in a poor condition and need major repair or replacement (i.e. external walls,

roof, external windows/doors, chimneys, central heating boilers, gas fires, storage heaters, plumbing and electrics)

- Housing that does not have reasonably modern facilities and services, i.e. a property that lacks three or more of the following:
 - A reasonably modern kitchen
 - A kitchen with adequate space and layout
 - A reasonably modern bathroom
 - An appropriately located bathroom and WC
 - Adequate noise insulation (where external noise and/or neighbourhood noise is a problem)
 - Adequate size and layout of common areas for blocks of flats
- Housing that does not provide a reasonable degree of warmth, i.e. housing which does not have a heating system or other means of heating the property, the heating system at the property does not work or is in poor condition

The above criteria will be assessed in partnership with the Private Sector Housing team. Where a home does not meet these standards, the Private Sector Housing team will take enforcement action if necessary, to ensure the property meets an acceptable standard.

- Overcrowded housing, i.e. a household that is one bedroom short of the assessed need for that household (see bedroom requirement within section 23)
- Other poor housing conditions. In exceptional circumstances, other poor housing conditions will be considered where there is evidence that the housing conditions are having a detrimental effect on the welfare/health of the household

c) Medical need (i.e. households with a medical, disability or mobility issue)

This could include:

- Verified high medical need where the homeseeker's condition is currently directly affected by their accommodation and a move to alternative accommodation would resolve or ease their medical condition
- Level access accommodation is required and there is no prospect of adaptations to the homeseeker's current property within 12 months. Suitable proof will be required, i.e. confirmation from an occupational therapist and landlord. The homeseeker may be referred to local agencies for assistance with adaptations

d) Welfare need – this could include the following:

- Homeseekers 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 has not been reached. The harassment is not at a level whereby the homeseeker has an emergency need to move
- Homeseekers who are suffering financial hardship and are having difficulty in meeting their housing costs, for example, due to an adverse impact from a change in income and/or benefits.
- The need to be near relatives to give or receive assessed care/support. This would only apply where NOT moving would cause physical, financial or emotional hardship to either the homeseeker or their relatives
- An evidenced need to move closer to specialist educational or similar organisation, agency or institution. This would only apply where NOT moving would cause physical, financial or emotional hardship
- The homeseeker has found permanent employment within the Leicestershire sub region and needs to move closer to work, to prevent financial hardship. An assessment will be undertaken which will involve contacting the homeseeker's employer

Where homeseekers have been assessed and placed in this band, bidding restrictions may be placed to limit choice to the areas they have demonstrated a need to move to.

e) Insecure accommodation

This could include:

- Homeseekers currently renting accommodation either on an assured shorthold tenancy or a tied tenancy who have been served a valid notice to leave
- Homeseekers currently accommodated as a licensee/lodger or who are living with family, relatives or friends

18. HIGH BAND

Homeseekers will qualify for the high band if they fall into one of the following categories:

- A homeseeker who has been assessed as having two or more needs from different sections of the medium band (i.e. no more than one need to be taken from each category) as listed below:
 - Homeless households
 - Poor housing conditions
 - Medical need to move

- Welfare need to move
- Insecure accommodation
- There is overcrowding by two or more bedrooms short of the assessed need (i.e. the homeseeker would not be considered eligible to bid for the same size property as currently occupied)
- A homeseeker who is living in recognised supported accommodation and their key worker has confirmed that independent accommodation would now be appropriate
- Transfer homeseekers who are under occupying a home and are seeking to downsize to smaller accommodation (i.e. the homeseeker would not be considered eligible to bid for the same size property as currently occupied)
- Transfer homeseekers who are under occupying a home and are affected by welfare reform

Homeseekers are initially placed in the high band for 16 weeks and are expected to bid for all suitable properties which become available during this period. If the homeseeker has not been successful by the end of the 16 week period, their application will be reviewed. Where the homeseeker has bid for suitable properties within this period and has been unsuccessful OR where no suitable properties have become available, an extension of up to 16 weeks in this band may be granted. Failure to bid or respond to suitable properties or refusal of an offer of suitable accommodation will be taken into account if the application is reviewed at the end of the 16 week period. The length of the extension will be determined by the Housing Needs Manager.

19. PRIORITY BAND

Homeseekers who have been assessed as having an emergency need to move will be placed in the priority band.

Homeseekers will qualify for this band if they fall into one of the following categories:

a) Homeless applicants

Homeless households to whom the council has a statutory duty to secure accommodation under section 193 of the Housing Act 1996 (part VII) as amended by the Homelessness Act 2002 will be placed in the priority band.

- The effective date for shortlisting homeless applicants in the priority band will be the date they presented as homeless

More information about Homeless applicants can be found in section 20.

b) Emergency welfare need – circumstances could include (this list is not exhaustive):

- Homeseekers who are subject to severe harassment, threats of violence or actual violence or threats of physical, emotional or sexual abuse
 - Homeseekers living in a property where the conditions are classified as unsafe or risk of imminent harm which cannot be remedied within a reasonable period of time and not resulting from damage caused by the homeseeker. This criteria will be assessed in partnership with the Private Sector Housing Team
 - Homeseekers living in a property that is statutorily overcrowded. This criteria will be assessed in partnership with the Private Sector Housing Team
 - Vulnerable homeseekers whose social or economic circumstances are such that they have difficulty securing settled accommodation. The homeseeker will have been through their housing options with the council and all other options will have been exhausted
- c) Emergency medical need – circumstances could include (this list is not exhaustive):
- A homeseeker with a progressive or chronic medical condition combined with other difficulties such as the need for adapted accommodation, the inability to be discharged from hospital to their current accommodation or unable to access toilet and/or bathroom facilities
- d) Complex housing needs – resulting in an urgent need to move
- This would include a number of high need factors which, when assessed together, would indicate an emergency need to move. Such cases will be referred to the Housing Needs Manager
- e) Management need – circumstances could include the following (this list is not exhaustive):
- Tenants requiring an emergency transfer because their current property is in need of urgent repair (includes demolition)
 - Homeseekers succeeding to a tenancy that is not suitable for their needs
 - Where homeseekers have lived in their current accommodation with a council or RP tenant for at least 12 months, remain in occupation but have no right of succession and the council has agreed to re-house them
 - Tenants occupying a wheelchair adapted property or other adapted property they no longer need
- f) Displaced agricultural workers who qualify for assistance under the Rent (Ag) Act 1976

Homeseekers will initially be placed in the priority band for a period of up to 8 weeks and are expected to bid for all suitable properties which become available during this period. If no suitable properties have become available or the homeseeker has

not been successful by the end of the 8 week period, their application will be reviewed. An extension to the time in this band may be granted where the homeseeker has bid for suitable properties within this period and has been unsuccessful OR where no suitable properties have become available. The length of the extension will be determined by the Housing Needs Manager.

20. HOMELESS APPLICANTS

Because of the additional responsibilities the Council has to applicants under the homelessness legislation there are a number of specific issues that only relate to applicants where the council has accepted a full homeless duty.

- One suitable offer of accommodation will be made to homeless households. Where an offer of suitable accommodation is not accepted, the homelessness duty will have been discharged and the homeseeker's application will be re-assessed based on their other circumstances at that time
- The homeless duty may be discharged with one offer of accommodation in the private sector where the host authority has a private rented sector offer policy. This will end the homelessness application. The homeseeker will be entitled to remain on the housing register from the private rented property and their application will be reassessed from their new address.
- Where a homeless applicant is currently occupying a council property under a temporary letting the homeless duty may be discharged by making this their final offer if the property is considered suitable.
- The Council reserves the right to place bids (normally on the last bidding day of the bidding cycle) on suitable properties for homeless applicants where they have failed to bid in any bidding cycle during the priority period
- The Council reserves the right to suspend homeless applicants from bidding for additional properties once they have been offered a property
- Where homeless households do not bid for suitable properties during the 8 week priority period their priority status may not be renewed.

21. MOVING BETWEEN BANDS

A homeseeker's band will change if their level of need changes.

- Moving to a higher band
 - The effective date will change to the date they moved in to the higher band
 - Where homeseekers move to the priority band because the council has a full homelessness duty to them, the effective date will be changed to the date they presented as homeless

- Moving to a lower band
 - The effective date will be the date the homeseeker was previously in that band
 - If the homeseeker has not been in that band previously their effective date will remain the same as it was in their previous band.

22. CHANGE OF CIRCUMSTANCES

It is the homeseeker's responsibility to keep the council informed of any changes in their circumstances as this may affect their band. If we become aware of a change in circumstances, the homeseeker may be overlooked for an offer and their application suspended until the information requested is provided and the application has been re-assessed.

23. RESTRICTIONS ON BIDDING

Once accepted on to the Housing Register homeseekers will be able to begin bidding on properties.

The choice based lettings system is designed to only allow applicants to bid on properties that they are eligible for.

Property adverts will include the bidding criteria for each property, for example, age, mobility category or any specific connection criteria.

Age requirement

CBC has a number of properties where an age restriction applies and homeseekers will need to satisfy the age criteria for the scheme and/or be assessed as having a support need that can be met within sheltered housing.

Generally, the age restriction is 60 years or over for sheltered accommodation or age designated bungalows. Flats that are designated for homeseekers aged 50 plus may have the age restriction reduced to 45 years if there are no successful bids from homeseekers aged 50 years or over for these vacancies. In the case of a couple only one needs to meet the age criteria.

Other partners in the Leicestershire CBL scheme may have different age criteria for their properties and in some circumstances there may be a minimum age criteria for children.

Where a property has an age requirement this will be specified in the property advert.

Bedroom requirement

The following criteria will be used to determine the size of accommodation to calculate whether a household is short of bedrooms and to determine the size of property a homeseeker is eligible to bid for.

A separate bedroom is normally 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

A child is under the age of 16 years and must spend a minimum 4 nights per week with the homeseeker in order for them to be classed a permanent resident. Exceptions will be considered, for example, in circumstances where the child resides away from the homeseeker on a temporary basis but their permanent home is with the homeseeker.

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 3 months

Where there is evidence of need for a member of the household to have a separate bedroom (for example, due to medical reasons or behavioural issues), an additional bedroom may be allowed.

Where a homeseeker has care or support needs that require overnight assistance on a permanent or casual basis, the need for an additional bedroom can be awarded to permit this. This may include prospective foster carers on evidence that Children's Services will approve the homeseeker as a foster carer subject to the availability of suitable sized accommodation.

Parents with access to children are households who have children staying with them on a regular basis but with whom the children do not reside on a permanent basis. Households falling into this category must be able to show that they have access to children for a minimum of two nights per week. Proof of these access arrangements will be required, for example, letters from both parents/guardians, court orders where appropriate, social worker or solicitor's letter, or similar documents from other relevant bodies. Variations will be considered on an individual basis. These households cannot normally be considered for properties larger than a 2 bedroom flat irrespective of the number of children they have access to

Homeseekers awarded priority on the basis of having a bedroom shortage may be overlooked if they bid successfully on a like for like property.

Large families (i.e. those with five or more children) may be given additional priority over smaller households for properties with four or more bedrooms.

The eligibility criteria for particular property types may be relaxed and, if so, this will be made clear in the property adverts. In some circumstances, homeseekers may have the opportunity to bid for larger properties for which there is low demand.

Other landlords may operate different criteria and this will be specified in the property adverts.

24. ADVERTISING PROPERTIES

Vacant properties will be advertised by CBC. Adverts will contain information about the property and the eligibility criteria homeseekers must meet.

Property adverts may be restricted to receiving bids from certain types of homeseeker, where this is in line with local lettings policies (see Appendix B). For example, property adverts may be restricted to homeseekers by:

- Homeseeker type (transfer or new)
- Support needs (i.e. sheltered, extra-care and supported)
- Banding
- Homeseeker age
- Household type and size (see Appendix A for more information)

Where a local authority has set targets or quotas for transfer moves, bidding may be restricted on certain vacancies to homeseekers defined in this way.

Non standard dwellings (i.e. properties adapted for disabled homeseekers) will be let to the homeseeker most suited to the property based on need. The advert will clearly state if a property will be allocated on this basis.

CBC reserves the right to specify the quota of properties advertised for new and transfer homeseekers without prior notice.

The council will use a range of methods to advertise properties including the council's website, the council offices and other advertising points. A limited number of newsletters will be produced for homeseekers who have been identified as being unable to access advertising points.

The council reserves the right to change the frequency of the publication of adverts.

The council website will include details of other affordable housing options in the district. These will include private rented properties, low cost home ownership and Homebuy options.

25. SUB REGIONAL POOL OF PROPERTY ADVERTS

Property vacancies in the sub regional pool will be open to all homeseekers in the sub region, subject to any restrictions stated in the advert. In normal circumstances, equal priority will be given to homeseekers in the same band and with a connection to any part of the sub region. However in some circumstances, preference may be given to homeseekers with a district connection to the host area, for example, larger properties, wheelchair adapted properties and some village properties, which are in short supply locally.

26. LOCAL LETTINGS POLICIES (LLPs)

From time to time, the council may decide to develop local lettings policies (LLPs) for specific properties or areas, in order to develop balanced and sustainable communities.

Where LLPs are introduced, clear evidence will be required of the need to vary the usual policy. The decision will always take into account the implications for equal opportunities and consider the 'reasonable preference' criteria. LLPs are designed to be time limited and will be monitored regularly. Where an LLP is in place, the property advert will specify the relevant criteria for the vacancy.

The council's current LLPs can be found at Appendix B.

27. BIDDING FOR VACANT PROPERTIES

Homeseekers are responsible for 'bidding' for properties in a number of ways. The **Homeseekers Guide** provides information about how to bid and is available by contacting the Housing Needs team on 01509 63 45 67.

Homeseekers will have up to two bids per advertising cycle. Bids may be withdrawn and placed on other advertised properties at any time during the bidding period. However, once the bidding period has closed, homeseekers will be unable to bid for any properties.

Homeseekers will be informed of their position in the shortlist at the time of bidding.

If homeseekers are unable to bid themselves, assistance will be provided by a member of the Housing Needs Team.

28. MATCHING PROCESS & SHORTLISTING

Homeseekers bidding for properties will normally be shortlisted in the following order:

- By local connection
- By band
- By effective date (i.e. date of registration or more recent date of change of priority)
- By any other special eligibility criteria that may be applied and which will be stated in the property advert

In the event two or more homeseekers with the same registration date apply for a property, the council will make a decision taking into consideration the housing circumstances of each case.

Properties adapted for wheelchair access will be matched with a homeseeker requiring a wheelchair accessible property. An occupational therapist may be consulted on the suitability of a homeseeker for the property.

Where a disabled homeseeker applies for accommodation which does not meet his/her access needs, the council will take into account whether it is reasonable and practicable to adapt the property when assessing the homeseeker's bid. If the council takes the view that it is reasonable and practicable to adapt the property, the disabled homeseeker will be considered for the vacancy on the same basis as other homeseekers who have submitted a bid.

Where there is a shortage of accessible properties the council may, subject to the current adaptations programme and budget availability, take steps to identify properties which are suitable for adaptation and consider giving priority to disabled persons who bid for such properties.

29. OFFERING A PROPERTY

The Allocations team will contact homeseekers who have matched for the property and allocate the property in accordance with the CBL Allocations Policy.

Homeseekers who are contacted will be asked to provide current documentary evidence confirming the circumstances detailed on their application form. Homeseekers who owe a housing related debt to the council or any other social landlord may be advised that an offer of accommodation is subject to the remainder of the debt being paid in full.

Homeseekers may be asked to provide evidence to confirm the debt has been paid.

If the homeseeker is unable to provide proof of their circumstances, or if their circumstances have changed to an extent that they are no longer eligible for the property, an offer will not be made. The application will be suspended until the required information has been provided and the application has been re-assessed.

Where a homeseeker has been offered a property, they will have three days to make a decision. Homeseekers who are identified as vulnerable may be given longer to consider an offer. If the homeseeker fails to respond by the date given in the offer letter, the application will be suspended until the information has been provided and the application has been re-assessed.

If the homeseeker accepts the offer subject to viewing the property, arrangements will be made for a viewing and subsequent signing of a tenancy agreement.

If a homeseeker refuses three suitable offers of accommodation their application will be suspended for 6 months. Failing to respond to a suitable offer of accommodation, or failing to attend an arranged viewing may count as a refusal.

Homeseekers in the priority housing need category may jeopardise their priority status if they refuse a reasonable offer of a tenancy. If 'homeless' priority households fail to bid for suitable properties during the 8 week period, their priority status will not be renewed. Where a 'homeless' household refuses a reasonable offer of accommodation, the homelessness duty will have been discharged.

The council reserves the right to withdraw any offer of accommodation. An offer of accommodation will be withdrawn where there is just cause and the council will explain

why the offer has been withdrawn. The homeseeker has a right to appeal against the decision (see section 35 for more information about the Appeals Process).

30. FEEDBACK INFORMATION

The council seeks to provide every homeseeker with feedback information on previous allocations. This information is provided online at www.charnwood-homes.org.uk.

Every property allocated through the CBL scheme will be included in the feedback information. This information is published in the fortnightly newsletter and on the CBL website.

The feedback information will include:

- The number of homeseekers who placed a bid for the property
- The date of registration/effective date of banding of the successful homeseeker
- The band of the successful homeseeker

The council may contact homeseekers who respond to 20 or more properties in a 12 month period to discuss their housing needs and other suitable housing options.

The council may contact homeseekers who have not bid for a property in the last 12 months to ensure they understand how the CBL scheme works and discuss their housing needs.

31. MANAGEMENT ALLOCATIONS

The council aims to give all homeseekers choice in where they live. In exceptional circumstances, it may not be possible to offer the homeseeker choice and a direct offer of accommodation, or a management allocation, may have to be made.

A management allocation may be made in one of the following circumstances (this list is not exhaustive):

- Where a council or Registered Provider tenant must be temporarily re-housed due to the need for major refurbishment or repair to their property
- Where a property has been compulsory purchased and there is a legal requirement to offer the household a specific property
- Where homeseekers could pose a risk to individuals or other members of the community
- Where the council has decided that this is the best use of stock. This would only take place in exceptional circumstances and could include joint to sole and sole to joint tenancies
- Allocations to designated temporary accommodation
- Temporary lettings of general needs council accommodation to homeless households

- Nominations to supported schemes run by Registered Providers. Homeseekers who are interested in the scheme and meet the criteria for the property will have their details put forward by the council. The Registered Provider will then decide which homeseeker is most suited to the vacancy.

Properties allocated on a management allocation basis will still be advertised through the CBL scheme for transparency and to ensure the true picture of turnover within Charnwood but will be labelled 'Under Officer'.

32. DIFFICULT TO LET PROPERTIES

The council will monitor properties that are not receiving bids, and consideration will be given to changing the eligibility criteria for these properties to ensure the best use of available housing stock.

33. MUTUAL EXCHANGE

Secure council tenants and assured tenants of Registered Providers have the right to exchange their property with secure tenants of any council and assured tenants of any Registered Provider. Tenants with an introductory, demoted or starter tenancy do not have this right.

CBC subscribes to 'HomeSwapper' which facilitates exchanges nationwide. Tenants of CBC are able to register with HomeSwapper through its website at www.HomeSwapper.co.uk and will not be charged for this service. Other homeseekers can also register on the site but will be subject to charges if their landlord does not subscribe to HomeSwapper. CBC will assist any tenant who requires assistance with this process.

Mutual exchanges offers will be advertised through the Leicestershire CBL scheme, HomeSwapper or other national mutual exchange scheme.

HomeSwapper allows users to input information about their properties and upload photographs. Tenants are regularly updated with information about available properties that meet their criteria.

The partner landlords will normally consent to a mutual exchange in accordance with housing legislation. The tenant must receive written consent to the exchange from their landlord before any exchange can take place. Rent arrears or other breaches of tenancy are not grounds for refusal but conditional permission may be granted subject to any breach being rectified in advance of the exchange.

Mutual exchanges are undertaken by completing a Deed of Assignment. Properties are accepted in the condition they are in at the time of exchange and the incoming tenant will be asked to sign a disclaimer for non-standard items, tenant's fixtures and fittings and any items that are damaged or in poor condition that have not been rectified prior to the exchange including gardens. The incoming tenant will become responsible for the maintenance, repair and upkeep of these items and in most cases the landlord has no liability to undertake repairs to tenant's fixtures and fittings.

The landlord can only refuse a mutual exchange for the following reasons, as set out in the Housing Act 1985, Schedule 3:

Ground 1	A possession order is in force
Ground 2	Legal proceedings have commenced (NoSP served)
Ground 2a	Legal proceedings have commenced (ASB) includes ASBOs and Injunctions
Ground 3	The property would be under occupied by more than 1 bedroom
Ground 4	The property would be substantially over crowded
Ground 5	The tenant is a service tenant (for example, caretaker, warden)
Ground 6	The landlord is a charity and the proposed assignee's occupation would conflict with the objects of the charity
Ground 7	The property is designed or adapted for the disabled and the household of the ingoing tenant has no requirements for such accommodation
Ground 8	The accommodation is provided by a Housing Association/Trust to meet special needs and the ingoing household has no such special needs
Ground 9	The property is one of a group of properties with special facilities let to people who require those facilities (e.g. warden aided / sheltered housing)

34. AGRICULTURAL WORKERS AND THE RENT (AGRICULTURE) ACT 1976

Under the Rent (Agriculture) Act 1976, CBC has a duty towards agricultural workers who are required to leave their tied accommodation.

When considering an application from a displaced agricultural worker, the 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
- It would be in the interests of efficient agriculture to re-house the vacating worker

All 3 conditions must be satisfied.

In reaching a decision, the council will seek the advice of the Agricultural Dwelling House Advisory Committee (ADHAC). The ADHAC will advise whether or not the homeseeker should be asked to vacate the tied accommodation and will make recommendations as to the urgency of re-housing.

If the council is satisfied that the case is substantiated, the homeseeker's application will be placed in the priority band. If the case has not been substantiated, the council will assess the application in the standard way.

35. APPEALS PROCESS

If a homeseeker does not agree with a decision made by the council in respect of their application or in respect of any decision that affects their housing application, they have the right to appeal. Circumstances for an appeal include the following:

- Where a homeseeker has been excluded from the Housing Register
- Where a homeseeker believes their application has been assessed incorrectly and placed in the wrong band
- Where a homeseeker's application has been cancelled and their request to have the application reinstated has been refused
- Where a homeseeker wishes to be considered for a property type that they are not eligible for

If a homeseeker has successfully matched for a property but has been refused the offer of accommodation by one of the Registered Provider partners, they should make a request to the Registered Provider in the first instance to review its decision. Each Registered Provider operates its own appeals process. For a copy of the relevant appeals procedure, the homeseeker should contact the Housing Needs team on 01509 63 45 67.

Homeseekers wishing to appeal the decision will be required to submit a written request. The appeal will normally need to be submitted within 28 days of the original decision letter however the council may be prepared to consider requests after this time depending on the circumstances of the case.

The appeal should be addressed to:

The Housing Needs Manager
Charnwood Borough Council
Southfield Road
Loughborough LE11 2TT

The officer considering the appeal will not have been involved in the original decision.

The review will normally be carried out within 28 days. A written notification of the decision, including grounds for the decision, will be sent to the homeseeker.

All correspondence will be sent to the mailing address on the homeseeker's application. If the homeseeker does not have a mailing address, the correspondence can be collected from the council offices. Correspondence will be kept for a period of 28 days.

36. COMPLAINTS PROCEDURE

Step 1 Where a homeseeker is dissatisfied with the service provided by the council, a written complaint should be made to:

Housing Needs Manager
Charnwood Borough Council
Southfield Road
Loughborough LE11 2TT
Tel: 01509 63 45 67

The homeseeker will receive a written reply within 20 working days.

Step 2 If a homeseeker remains dissatisfied, a complaint should be made to:

Corporate Service Development Officer
Charnwood Borough Council
Southfield Road
Loughborough LE11 2TT

Tel: 01509 63 4596
Email: complaints@charnwood.gov.uk

The homeseeker will receive a reply within 20 working days.

Step 3 If a homeseeker remains dissatisfied, they may complain to their councillor or the Housing Ombudsman.

If the homeseeker feels they have been treated unfairly by one of the partner Registered Providers, they should contact the Housing Needs team for details of the organisation's complaints procedure.

APPENDIX A: AFFORDABILITY ASSESSMENT

AFFORDABILITY ASSESSMENT

Homeseekers will be placed in the lowest band if they are assessed as able to meet their own housing needs in the market, i.e. if they have sufficient means to buy OR rent the size and type of property that their household requires.

The income and savings of the homeseeker and any joint homeseeker will be combined and the application will be placed in the low band if the thresholds in the table below are exceeded.

THRESHOLDS FOR LOCAL AUTHORITIES IN THE LEICESTERSHIRE SUB REGION

LOCAL AUTHORITY	INCOME LIMIT (£)*	EQUITY LIMIT (£)**	SAVINGS LIMIT (£)#
Blaby	45,000	32,000	17,000
Charnwood	48,000	31,000	18,000
Harborough	62,000	37,000	24,000
Hinckley & Bosworth	46,000	29,000	17,000
Melton	47,000	29,000	18,000
North West Leicestershire	44,000	29,000	17,000
Oadby & Wigston	46,000	31,000	18,000

* 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: This is based on the homeseeker(s) having equity equivalent to 25% or more of the average price within the lower quartile of house prices in the district (i.e. 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: This is equivalent to 10% of the cost of an average priced home in the district, or approximately 15% of the average price of a lower quartile priced home. It is assumed that the homeseeker(s) could use this as a deposit to buy a home or else use it to rent privately.

The following limitations apply:

- If the household has specialist needs that cannot be met within the local housing market, then the criteria will not be applied, for example, if the need is for wheelchair standard housing or the homeseeker needs housing with support services which is not available in the market.
- If a household has support needs, the assessment will also take account of this in assessing the cost of meeting the household's needs in the local housing market, for example, if the homeseeker needs sheltered housing, which is available, but the level of the service charges is prohibitive.

APPENDIX B: LOCAL LETTINGS POLICIES

LLP: AREAS AFFECTED BY ANTISOCIAL BEHAVIOUR (ASB)

BACKGROUND

Antisocial behaviour (ASB) can cause serious problems for an area leading to an increased turnover of properties and a drop in demand for the resultant empty properties. A local lettings policy (LLP), as part of a wider range of neighbourhood intervention measures, can help deliver real change especially when such an approach can respond quickly to local circumstances. However, criteria that restrict homeseekers' access to council accommodation creates inertia in the allocation process and also impacts on the transparency of the CBL Allocations Policy.

Any use of this policy will be implemented as part of a series of neighbourhood management measures agreed with the Community Safety team.

AIMS & OBJECTIVES

- To create sustainable communities
- To reduce antisocial behaviour
- To reduce criminal activity
- To reduce the number of vacancies arising from tenants leaving the properties due to antisocial/criminal activities by other residents
- To create sustainable communities
- To reduce antisocial behaviour
- To reduce criminal activity

LETTINGS CRITERIA

In order to achieve the aims and objectives, lettings at designated locations will be made taking account of the following criteria to reflect specific issues affecting the area:

- The age of the homeseeker
- The criminal history of the homeseeker
- Whether a homeseeker is a drug user or is alcohol dependent
- Whether a homeseeker has a history of antisocial behaviour
- Whether a homeseeker has unmet support needs

Any measures will be applied in conjunction with other neighbourhood management tools to ensure a holistic approach is achieved.

The criteria for each location currently subject to this policy will be published on the council's website together with the date the scheme will next be reviewed together with the outcome of any previous reviews.

A maximum of 5% of properties within the council's stock will be subject to special eligibility as a result of this policy.

BACKGROUND

In 2001, a local housing needs survey was undertaken in Quorn. In 2003, a borough-wide housing needs survey confirmed a high level of need for affordable housing in the village.

In October 2005 Plans Committee gave permission for 8 affordable houses and 4 affordable flats to be built on a 'departure' site at Meynell Road, subject to a section 106 agreement "that first priority letting of the affordable dwellings is given to persons with a connection with the village of Quorn".

AIMS & OBJECTIVES

- To allow occupation of the properties to meet the requirements of the section 106 agreement
- To create a sustainable community
- To contribute towards meeting the housing needs of the parish of Quorn

LETTINGS CRITERIA

Properties in the scheme will be offered first to households with a connection to Quorn who are considered to be in housing need. This will be clearly stated in any advertisement as part of Choice Based Lettings.

CONNECTION TO THE VILLAGE OF QUORN

A household will be judged as having a connection to the village of Quorn if any person in that household:

- Resides in the parish of Quorn and has done so for the last six months
- Has resided in the parish of Quorn for at least 12 months in the last five years
- Is employed in the parish of Quorn or who has a firm offer of employment there
- Gives support to a relative who resides in the parish of Quorn or receives support from a relative who resides in the parish of Quorn
- Was resident in Quorn and had to leave the parish to accept an offer of social housing elsewhere in the borough [as there was no accommodation available in the parish at that time] and still occupies social housing in the borough

DEFINITION OF HOUSING NEED

A household will be judged to be in housing need if it falls into one of the reasonable preference categories identified in section 167(2) of the Housing Act 1996 (as amended). These categories are:

- (a) People who are homeless (within the meaning of Part 7 of the 1996 Act) and includes people who are intentionally homeless and those who are not in priority need

- (b) People who are owed a duty by any housing authority under section 190(2), 193(2) or 195(2) of the 1996 Act (or under section 65(2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any housing authority under section 192(3)
- (c) People occupying unsanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions
- (d) People who need to move on medical or welfare grounds
- (e) People who need to move to a particular locality in the district of the housing authority, where failure to meet that need would cause hardship (to themselves or to others)

Furthermore, a household will be deemed to have a 'deferred' housing need if it was resident in Quorn and had to leave the parish to accept an offer of social housing elsewhere in the borough [as there was no accommodation available in the parish at that time] and still occupies social housing in the borough.

PRIORITISING HOMESEEKERS

Once a Quorn connection and housing need have been established, homeseekers will be assessed in accordance with the CBL Allocations Policy at the time of letting.

Where there are insufficient households in housing need with a Quorn connection, any remaining properties will be offered through the council's normal allocations process.

August 2009

BACKGROUND

The government recently introduced a range of funding opportunities for new affordable housing and, together with the current difficulties in the housing market, a variety of units are now available for social rent which were not originally developed for affordable housing. Consequently, owner occupiers to which such properties would have been marketed may differ from the usual household types who would be offered the unit types if they were social housing. As a result, the overall design of such schemes may mean that an alternative eligibility criterion may be required.

Furthermore, nationally RPs have identified that the long term sustainability of new estates can be compromised if unbalanced nominations are made at first letting. The council's existing CBL Allocations Policy is framed to ensure households are assessed based on their housing need and so a mix of households should be in the higher bands at any time and it is expected that the bidding process will generate a mix of people qualifying for the scheme. However, there may be occasions where the strict application of the policy may lead to concentrations of potential problems such as a high density of similar aged children or particular social problems.

We are increasingly being approached by RPs requesting LLPs on new developments. These are normally for one of the following reasons:

- a) The development is relatively large and there is a need to balance the mix of child ages/densities
- b) The development is a new 'market opportunity' and was developed for the private market and the overall design of the scheme is not appropriate for particular family types such as those with young children

AIMS & OBJECTIVES

This LLP aims to:

- Ensure a balanced community on new estates
- Ensure their long term sustainability
- Minimise social problems
- Balance the need to assist those in greatest housing need with the need to ensure developments remain popular and desirable
- Enable RPs to respond rapidly to market opportunities as they will not need to negotiate an LLP on a site by site basis
- Allow a deviation from the normal eligibility criteria for property types where the overall design of a scheme justifies it. In relation to this final point, it is likely that such arrangements would continue into subsequent lettings

LETTINGS CRITERIA

In order to achieve the above aims and objectives, first lettings on new developments will be considered on a case-by-case basis.

Where it is considered that the design of the scheme is such that the council's normal eligibility criteria for property type and size is not appropriate, additional or alternative criteria may be agreed such as introducing a minimum age for children or considering a reduced density of occupancy. It is expected that such an approach would normally be applied on market opportunity units rather than those directly developed by an RP. The amended eligibility criteria may be retained in perpetuity.

Where it is considered that the size of a new development is such that the long term sustainability may be compromised from initial allocations, then some discretion may be applied to allocations to increase the success of the scheme.

As the council's CBL Allocations Policy is designed to ensure a range of homeseekers are offered accommodation, it is expected that the policy would normally deliver a balanced community. However, the council may agree for an RP to add additional criteria to some adverts on a scheme where it is felt this will support the schemes sustainability. Furthermore in limited circumstances the Council may agree that an RP may overlook an applicant on a shortlist where it is felt that given the mix of households already offered accommodation on the scheme such an allocation may create issues, for example:

- Excess child density
- Concentration of similar age children
- Excessive unmet support needs

These arrangements would only be expected to last until all properties on the estate are occupied for the first time.