

Hastings Borough Council Homemove Allocation Scheme 2018

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INTRODUCTION

Social housing is housing which is owned by registered providers. You can find a list of registered providers [here](#). Demand for social housing in Hastings is greater than the number of homes available.

The Homemove Allocation Scheme helps us to make sure that we allocate social housing to the people who need it the most and the communities in our town are balanced and sustainable.

This document explains the criteria we will use to prioritise applications for social housing and the procedures that will be followed. It also sets out who will and who will not be assisted, how to apply for housing and how homes will be allocated.

We operate a choice based letting scheme, and when you have been accepted on to the housing register you can bid for suitable homes when they become available.

AIMS AND OBJECTIVES

The principles of the Hastings Borough Council Housing Allocation Scheme are to:

- Provide a fair and transparent system by which eligible households are prioritised for social housing.
- Prevent homelessness and help people to solve their housing problems by giving advice and assistance.
- Enable people to make informed choices about their housing options.
- Treat everyone fairly, taking steps to avoid discrimination on the grounds of ethnicity, religion, sexual orientation, employment or marital status.
- Help those in the most housing need.
- Provide housing that is suitable for those who are eligible, as described in our scheme, as soon as possible.
- Make the best use of social housing in Hastings.
- Create sustainable communities through lettings plans.
- Treat information confidentially and with respect.

Only people with an identified housing need seeking general needs accommodation or those seeking older person's accommodation can be added to the Homemove Scheme (Housing Register). When you are accepted onto the Homemove Scheme you will be put into one of four bands A, B, C or D based on your housing need.

ELIGIBILITY

Who is eligible to apply?

The Homemove Scheme is open to anyone who:

- Is a minimum of 16 years of age
- Has lived in Hastings for a minimum of 3 out of 5 years or 5 out of 10 years (with a few exceptions)
- Has an identified housing need, or
- Is seeking Housing for Older Persons/sheltered accommodation

[Full details of who is eligible to join the Housing Register can be found in Appendix B.](#)

Who is not eligible to apply?

The following people are not eligible to join the Hastings Housing Register:

- Anyone under the age of 16.
- Households subject to immigration control who are ineligible for assistance
- Other persons from abroad who are ineligible for assistance.
- Households living outside the UK.
- Households currently in prison.
- Households with significant rent arrears or other household related debts – including mortgage arrears; arrears on their service charges or Local Authority debt
- Households to whom another Local Authority has a statutory Section 193 duty under the Housing Act 1996 and where that Authority has a statutory duty to accommodate until suitable housing is secured.
- Households considered by the local authority to have caused anti-social behaviour.
- Households considered to have sufficient financial resources in order to meet their own housing needs.
- Those without a local residency connection (with limited exceptions).
- Any household seeking general needs accommodation not considered to have a housing need.
- Households giving false or misleading information or withholding information that has been reasonably requested.

[Full details of who is not eligible to join the Housing Register can be found in Appendix C.](#)

Who can be included on the Homemove application?

Anyone who is part of the household at the date of registration can be included in an application.

Generally speaking an application can include:

- A partner (someone living with or who is reasonably expected to live with an applicant as a partner, or to whom the applicant has married or has undertaken a commitment through a civil ceremony).
- Dependent children under the age of 18 who live within the household, or who might reasonably be expected to do so. Normally households would be expected to be in receipt of Child Benefit or have a legal agreement for residency in place. Where a shared residency arrangement exists children will be treated as living with one parent. If a child spends equal amounts of time with both parents they will be considered to be living with the parent who receives child benefit for them.
- Someone not currently living with a household but for whom it would be reasonable to do so, e.g. a relative requiring care but unable to live with the applicant at present.
- A carer – where a household has been assessed as requiring a live-in carer.
- Any other non-dependant adult who normally permanently resides with the household.
- Pregnant women are able to include their unborn children in the family application at 28 weeks of pregnancy.

What proof do I need to provide?

For an application to be registered all adult members of the household must provide proof of their identity.

Applicants can provide either one of the following documents:

- Up to date and valid Passport
- Photo card part of a current driving licence
- Biometric residence permit
- EEA Identity Card

Or two of the following documents:

- Birth Certificate
- Marriage Certificate
- Official proof of National Insurance Number
- Recent Bank Statements
- Life Assurance or Insurance Policies
- Recent Wage Slips
- Recent Utility Bills
- Benefit Notification Letter
- Up to date CIS print

The identity of children in the household, and confirmation of child responsibility, must be evidenced by providing either:

- The full Child Benefit Award letter, which sets out the date of birth of all children in the household
OR
- Birth certificate/s and current bank statement showing Child Benefit payment

In addition, each member of the household must, where appropriate, provide proof of:

- Current/previous addresses for the last 5 years (or 10 years where relevant)
- Income
- Proof of responsibility for children, e.g. Child Benefit
- Proof of Nationality, e.g. Full Birth Certificate or Immigration Status
- Pregnancy and estimated due date (where relevant)
- Any other factors relevant to determining eligibility or priority; this can include previous tenancy history and medical evidence indicating how your current housing is not suitable

Proofs must be provided to the council as original documents. Copies will be taken and logged with the Homemove application. Photocopies will not normally be accepted. Applications will not be processed without the correct papers to verify the application.

HOW TO APPLY

You can make an application to join the housing register for social housing in Hastings by:

- applying online via https://www.hastings.gov.uk/housing/social_housing/
or
- visiting the Community Contact Centre

Hastings Borough Council

Hastings Community Contact Centre
Queens Square
Hastings
TN34 1RL

More information on how to apply can be found at www.hastings.gov.uk or by telephone: 01424 451100

ASSESSMENT OF NEED

A Housing Needs Assessment will be carried out in order to determine whether you are eligible to be added to the Housing Register. More information about housing need can be found in [Appendix B](#).

If you are not eligible to join the Housing Register, we will inform you of this decision by letter or email.

The Housing Needs Assessment will determine your:

- Bedroom entitlement
- Priority Band
- Priority Date (the date the Homemove application was received)
- Mobility Level (if applicable)

We aim to process an application within 15 working days of the Housing Needs Assessment being completed. In some cases additional information will be required, such as a medical assessment, which may mean it takes longer to process your application. You must make sure that any additional information we ask for is provided as soon as possible.

You have the right to request a review of this decision. More information can be found [here](#).

Medical Assessment

Some people with a serious medical condition or disability may be given medical priority, although this is very rare. This only happens where a move to alternative accommodation would significantly improve the health or quality of life of an applicant or member of their family. It is **not** awarded on the basis of the medical conditions of household members alone. For some people with serious medical conditions, a move will not improve their health because they are already housed in the most suitable accommodation that can be provided.

[See Appendix D for further information on instances where no medical priority will be awarded.](#)

Change of circumstances

You must let us know immediately if your circumstances change, for example a change of income, change in household size or change of address.

We will let you know in writing if your change of circumstances has affected your entry on the Housing Register.

If your circumstances change after you have been nominated for a property, we will need to check that you are still eligible to live there. If you are no longer eligible, the offer may be withdrawn.

Submitting a fresh application following exclusion from the Housing Register

If you have been turned down for the housing register in the past, you can re-apply if your circumstances have changed. You need to provide proof about how your circumstances have changed with your application.

If you have been suspended from the Housing Register you will not be able to make a new application for 12 months. You may be suspended from the Housing Register if you have not made any bids within a 12 month period or you have refused 3 suitable offers of accommodation in a 12 month period.

Reviews of the Register / re-registration

We carry out regular reviews of applications on the Housing Register to check that people are bidding and check they want to stay on the register. We will contact you at least once a year to ask if you want to stay on the register. You must respond within 14 days, or you will be taken off the register.

If you are taken off the register, you can make another application at a later date if you still meet the relevant criteria. We may also reinstate your original application date, if there is a valid reason why you did not contact us within 14 days.

If you do not make any bid within a 12 month period you will be taken off the Housing Register (this does not include Band D applications). We will write to you if you have been taken off the register, and you can let us know if there are any reasons why you have not been able to bid.

False statements and withholding information

Most people approaching us for housing assistance are open and honest. But a small number of people try to get accommodation by giving us false information. The council takes this matter very seriously and we will consider pursuing a prosecution if you provide us with false information on purpose. If you are convicted of such an offence, you may face a fine and your landlord may choose to terminate a tenancy on your property.

Section 171 of the Housing Act 1996 makes it an offence if any member of the household on the housing application:

- (a) Knowingly or recklessly makes a statement which is false in a material particular; and
- (b) Knowingly withholds information which the authority has reasonably required him/her to give in connection with the exercise of those functions.

A person found guilty of an offence under this Section is liable on summary conviction to an unlimited fine (Level 5).

The council or registered provider will take action to prosecute anyone who gains a tenancy through point (a) or (b) above. This may result in the termination of a tenancy, withdrawal of an offer of accommodation, or removal of the applicant from the Housing Register.

We will carry out home visits in order to check that the information you have provided us on your application is correct. We may also check the information on your current house with your landlord or our internal benefit systems. We may also ask you for more information about your application.

You must let us know immediately about any change in your circumstances which might affect your application.

Current social housing tenants who wish to move (Transfer Tenants)

Tenants wishing to transfer to another social housing tenancy should approach the council's Housing Options Team or their landlord to find out whether they have an identified housing need.

Transfer cases with no identified housing need will not be eligible to join the Housing Register unless seeking Housing for Old People.

Transfer applicants are also strongly advised to enquire about a Mutual Exchange with their existing landlord.

Who is a Transfer Tenant?

An assured tenant of one of the council's [Homemove Registered Provider](#) partners who is permanently resident in the borough. If you currently have a fixed term Assured Shorthold Tenancy (AST), you will normally be offered another fixed term AST when you move (this does not include people living in specialist supported accommodation).

Offers of accommodation for transfer cases

Transfer Tenants will not usually be offered accommodation if they are in breach of their current tenancy. This includes:

- A valid Notice of Seeking Possession or suspended Possession Order for rent arrears/anti-social behaviour.
- Housing Act Injunction.
- Anti-social Behaviour Order.
- Demoted Tenancy.

Tenants holding a 'Starter Tenancy' may not be eligible to request a transfer until their tenancy has been made permanent by their Registered Provider.

We take tenants conduct and rent history into account when deciding their suitability for an offer of accommodation. For example, tenants with arrears who have been making regular payments to reduce these may be considered even if the arrears have not yet been completely cleared.

Tenancy assignments

Assignments pursuant to Section 92 of the Housing Act 1985 (as amended by the Localism Act 2011) are not included within this Allocation Scheme.

THE BANDING STRUCTURE

Your Homemove application will be placed into one of the four bands below:

Band A	<ul style="list-style-type: none"> • A transfer applicant or someone entitled to a statutory succession who would or is currently under-occupying their accommodation by two bedrooms or more. • A transfer applicant requiring a decant where the property is required for major repair with work planned to start within the next 12 months. • A transfer applicant living in a 'Mobility 1 or 2' classified adapted property where they no longer require the adaptations but these could be used by someone else. • Applicants requiring an urgent move as a result of a serious imminent personal risk (to be agreed by the council's Housing Options Team Leader). • An applicant who has a medical condition or disability where their home is unsuitable for their needs and there is an urgent need to move to an alternative home to significantly improve their medical condition or disability. • Applicants considered to be in severe housing need as a result of housing conditions presenting an immediate threat of serious injury or if life threatening. • Applicants considered to be in severe housing need as a result of cumulative circumstances. • Applicants to whom the council owe a statutory duty to house, but where the council has been unable to provide private sector accommodation and the household is resident in bed and breakfast accommodation. • Applicants who have unusually high ongoing accommodation needs, which cannot be met in the private rented sector. This category will only be used at the discretion of the council in consultation with support agencies.
Band B	<ul style="list-style-type: none"> • A transfer applicant currently under-occupying their accommodation by one bedroom. • A transfer applicant requiring a decant where the property is required for major repair with work planned to start within the next 13 to 18 months. • Applicants assessed as lacking two or more bedrooms. • Applicants who have been accepted for fostering or adoption by Social Services, but who require additional bedrooms in order for them to proceed. • An applicant who has a medical condition or disability where their home is unsuitable for their needs and a move to a more suitable property would significantly improve their health or their ability to cope with their medical condition or disability. • Successors and non-statutory successors to a Registered Provider tenancy approved by the Registered Provider's Housing Management Team for an offer of smaller and/or suitable accommodation (applies to Hastings residents). • Management transfers agreed by a Registered Provider's Housing Management Team which are not considered to be at serious imminent personal risk • Applicants who have no other housing need and are serving in the Armed Forces (Regular or Reserves). Applicants will also be required to evidence that they are due to be discharged in the near future and have served a minimum of 3 years. The minimum service period will not apply to those who have been medically discharged.
Band C	<ul style="list-style-type: none"> • Applicants assessed as lacking one bedroom. • Applicants requiring a move because of unsatisfactory housing conditions whereby it would be unreasonable for them to remain.

	<ul style="list-style-type: none"> • Applicants requiring a move to a particular locality where failure to meet that need would cause hardship e.g. to give or receive support. • Applicants who have no other housing need, but have been discharged within the last 5 years from the Armed Forces (Regular or Reserves) having served a minimum of 3 years. The minimum service period will not apply to those who have been medically discharged. • Applicants owed a duty by Hastings Borough Council under Section 193 of the Housing Act 1996 Part VII (as amended) living in temporary accommodation other than bed and breakfast accommodation. • Households owed a prevention (s195(2)) or relief duty (s189B)
Band D	<ul style="list-style-type: none"> • Applicants who are eligible for Sheltered Housing or the Housing for Older People Scheme (HOPS), but have no other housing need.

[Full details of how assessment and banding decisions are made is attached in Appendix D.](#)

Priority dates

This is the date your application was received. Priority dates are used to determine who has greater priority within a band. The earliest priority date will be given the greatest priority within a band.

If your band changes due to a change in your circumstances, your priority date may also change.

Change of circumstances

If you have informed us of a change in your circumstances, we will let you know in writing if your priority band has changed.

Moving up a band

You will only be considered for a new band where there is a significant change in your circumstances. If you move up a band, your priority date will change as follows:

- Overcrowding due to the birth or adoption of a child: the date will be taken from the child's date of birth or date of adoption.
- Overcrowding because a child has turned ten or sixteen and can no longer be expected to share with their sibling (of the opposite sex): the date the child becomes ten or sixteen.
- Priority transfer: the date the information is received from the Registered Provider.
- Medical priority: the date the additional medical evidence has been submitted
- All other reasons: the date the application is received.

Moving down a Band

If you move down a band, you will keep the same priority date.

HOW PROPERTIES ARE ALLOCATED

How do we advertise properties

Properties are advertised fortnightly on the Homemove website 'Sussex Homemove'. The website can be accessed via www.sussexhomemove.org.uk/choice/.

Let us know if you are not able to access the website, in some cases we can provide you with additional help with your bid.

Details of how to bid are set out in the Scheme User Guide, which is available on the [Sussex Homemove website](#). All properties will be advertised as available for Transfer Tenants, Homeseekers or both. All adverts will also contain the eligibility criteria such as:

- The number of bedrooms in the property
- The minimum and maximum number of people who can live in the property
- Floor level
- Age restrictions, if applicable
- Mobility Level, if applicable
- Whether available for Transfer Tenants, Homeseekers or both
- If pets are not allowed
- Whether it is a Housing for Older Persons Scheme or Sheltered Housing
- Who the landlord is
- The weekly or monthly rental charge, including any other charges
- The type of tenancy to be offered
- Whether additional priority for working people/community contribution applies

You can only bid for properties which fit your assessed need i.e. if you have been told you are eligible for a 3 bed property for 5 people you will not be considered for a property with 4 bedrooms.

Where a property is advertised for a particular mobility level, priority will be given to applicants who require that mobility level, even if there are other applicants with a greater housing need. If you need housing which is suitable for a wheelchair or with very few steps, you should have this need assessed before bidding for properties.

You must submit your bid by 2pm on the closing date (stated on Homemove website). Any bids received after this time will not be counted.

Once the bidding cycle has ended, applicants with the greatest priority will be considered for each property.

Mobility Level

Where a property is advertised for applicants with restricted mobility i.e. Mobility Level 1, 2 or 3, priority will be given to applicants who require this type of property.

- Mobility Level 1 – Typically suitable for a person who uses a wheelchair full time, indoors and outdoors. The property will provide full wheelchair access throughout.
- Mobility Level 2 – Typically suitable to a person with restricted walking ability and for those that may need to use a wheelchair for some of the time. The property will have internal and external level or ramped access, but some parts of the property may not be fully wheelchair accessible.
- Mobility Level 3 – Typically suitable for a person able to manage two or three steps, but unable to manage steep gradients. The property may have adaptations to assist people with limited mobility.

Housing for Older People / Sheltered Housing

There are a range of social housing schemes for older people in Hastings. Almost all of these are aimed at people who are able to live independently but would prefer to live amongst other older people.

If you are aged 55 years or older and are eligible to join the Housing Register but have no other housing need you will be awarded a Band D.

Most properties for older people will be advertised for applicants aged 65+.

The Registered Provider will make the final decision on your eligibility for one of these properties.

The Bidding process

You can make bids for properties via the [Sussex Homemove website](#), by text message or telephone. Full details of how to bid are set out in the [Scheme User Guide](#) which is available on the Sussex Homemove website. If you do not have a computer you can access the Internet at any of the locations in [Appendix E](#).

If you need support with the bidding process, you may be able to join the assisted bidding list.

If you have been given a high priority Band and do not bid for a property within 6 weeks, you may be contacted to check you understand the bidding process. The council may also decide to bid on your behalf for suitable properties.

If you are statutorily homeless and living in temporary emergency accommodation provided by the council, you will be required to bid for appropriate properties in every bidding round. If you fail to exercise choice by not bidding on available suitable properties, the council will place bids on your behalf. If you are nominated for a property which is considered to be suitable, you will be required to accept the

offer. If you do not accept the offer, the council will have no further duty to house you and we will cancel the emergency accommodation placement. Also, your banding on the Housing Register will be reviewed – this will normally result in either a decrease in banding or a removal from the Housing Register.

All bids are checked against the eligibility criteria for that property. If your bid is not eligible for that property, you will not be included in the shortlisting process. If you regularly bid for properties which you are not eligible for, we will contact you to offer advice and assistance.

How many bids can be made by each applicant?

You can bid for up to 3 properties during each bidding cycle. Bids will only count if made within the bidding cycle. Shortlists will be created once the bidding cycle ends. If you have been successful, we will contact you as soon as possible to offer you a viewing of the property.

The selection process ‘shortlist’

All eligible bids for each property are placed into priority order called the ‘shortlist’. Priority is determined in the following order:

- Priority Band
- Priority Date

The applicant with the highest priority will be at the top of each shortlist. In the unlikely event of 2 or more applicants having the same priority date, then the priority will be randomly generated by the Locata computer system.

When a property is advertised with an associated Mobility Level, bids from applicants awarded a Mobility Level will be prioritised in Band order over and above those applicants who do not require a Mobility Level property.

Where a property is advertised with specific restrictions e.g. an age restriction, this will be taken into account when working out whether a bid is eligible. Some properties are subject to a Local Lettings Plan where there may be additional eligibility criteria, such as working or making a community contribution; where this is the case this will be stated on the advert.

If there are no eligible bids for a property, the council’s Housing Options Team (in consultation with the Registered Provider) may decide to make a direct allocation or re-advertise the property in the next bidding round.

The shortlist will be provided to the Registered Provider by the council’s Housing Options Team for them to make contact with the applicant(s) and arrange a viewing of the property. The final decision to offer a tenancy will rest with the Registered Provider and unless exceptional circumstances apply, the applicant with the highest priority will be offered the tenancy. In order to minimise delays the Registered Provider may invite other bidders to view the property.

You will need to bring the following information to your viewing:

- Proof of identity
- Proof of income
- Tenancy agreement of current property (if applicable)
- Any other relevant documentation that has not already been verified by the council or Registered Provider

Offers of accommodation

For all general needs housing the Registered Provider's Lettings Officer will:

- Arrange accompanied viewings.
- Advise of any non-essential repairs to be completed after the tenancy start date and a target date for the completion of any repairs.
- Allow you 24 hours from viewing to confirm your decision to accept or refuse the offer of accommodation.
- If you refuse the offer of accommodation, the lettings officer will note the reasons for the refusal and notify the council's Housing Options Team. **If you are owed a statutory housing duty, the Lettings Officer must seek approval from the council before offering the property to another applicant.**
- Allow you 24 hours from viewing to provide any documentation essential to the offer of accommodation. If you fail to provide any requests for documentation the tenancy may be offered to the next highest priority bidder.

Any issues relating to the property will be discussed with you (where appropriate) prior to a tenancy being granted.

Refusing an offer of accommodation

Once an offer of accommodation has been made, you have the right to refuse the property. If you refuse the offer you will be able to bid again during the next bidding cycle.

If you refuse 3 offers of suitable accommodation within a 12 month period you will be removed from the register. You will then be suspended from reapplying to the housing register for a further 12 months from the date of their third refusal. You will have the right to ask for a review of the decision that an offer of accommodation is suitable and reasonable for you to occupy.

Some applicants will have restricted rights to refuse offers; this will be made clear in any offer letter and the applicant should then seek advice before refusing.

Homeless households refusing an offer of accommodation whereby the council has accepted a statutory homelessness duty will be removed from the housing register. This will be made clear in writing to the applicant at the point the offer is made.

Shortlisting exceptions

Offers will normally be made to applicants at the top of the shortlist. In very rare circumstances the council may need to reject an applicant on the shortlist for a particular property to ensure we meet the objectives set out below:

Where there is a Local Lettings Plan in place

The council and Registered Providers may adopt a Local Lettings Plan (LLP) for specific areas or particular housing schemes. An LLP can be used to promote social and economic mobility, and address skills shortages and worklessness. Properties subject to a LLP will be clearly marked in the Homemove advert and priority will be determined in accordance with the LLP. A Local Lettings Plan can only be agreed between the landlord of the accommodation and the council in exceptional circumstances.

To ensure that allocations are sensitively made

In exceptional cases the council/Registered Provider may decide not to offer the property to the person at the top of the shortlist where they believe to do so would create housing management problems.

To make best use of housing stock and to reduce under occupation

Some properties are not advertised through Homemove, but offered on a direct let (for example to those who are releasing larger Registered Provider accommodation or to those who need to move urgently because the Registered Provider is undertaking work on a property). In exceptional cases, where it is clear that the person to whom it is being offered has an urgent need to move, a property which has been advertised may be withdrawn and offered as a direct let.

To make best use of adapted properties

For properties advertised as Mobility Level 1, 2 or 3 priority will always be given to a candidate requiring that level of adaptation. This may mean that a candidate with a mobility need but a lower band will be given priority over a candidate with a higher band but no mobility need. Mobility properties will be let to applicants who can make the best use of the adaptations available.

To ensure properties are let quickly

This is important to minimise rent loss and empty property turnaround time. Applicants must be available and able to accept an offer of accommodation within 24 hours.

Applicants who do not bid

We check applications closely. If you are not bidding for properties, we will contact you to find out why and find out if you need any extra advice or support.

Direct Lettings

The council and Registered Providers need to keep some flexibility to deal with exceptional circumstances. Direct lettings may be made from time to time. These may be offered to the following categories of:

- Households to whom the council owes a statutory housing duty but have been unable to access suitable accommodation in the private rented sector who are currently, or would otherwise be, accommodated in temporary emergency accommodation provided by the council. If the direct let is refused the council will have no further duty to accommodate the household and will cancel the emergency accommodation placement if applicable. The household's banding on the Housing Register will be reviewed and in most instances this will result in either a decrease in banding or a removal from the Housing Register.
- Transfer Tenants who need to be temporarily decanted from their existing homes.
- Transfer Tenants who need a permanent decant and fail to bid successfully within the timescale given by their landlord. If the direct let is refused the Registered Provider will review and/or begin proceedings for possession.
- Non statutory successors. If the direct offer is refused, the Registered Provider will review and/or begin proceedings for possession.
- Priority transfers who fail to bid successfully within the prescribed timescale. If the offer is refused, the council or Registered Provider may recommend that their priority is lost.
- Under-occupiers who have succeeded to a tenancy. If the offer is refused the Registered Provider will review and/or begin proceedings for possession.
- To meet council priorities as part of agreed regeneration proposals.

All decisions relating to direct lettings will be agreed between the council and the Registered Provider prior to any offer of accommodation.

Feedback on successful lettings

All properties successfully let through the choice-based lettings scheme will be listed in a future copy of the Homemove.pdf along with the following details:

- Total number of bids
- Priority Band of the successful applicant
- Priority Date of the successful applicant

Where properties are let outside the choice-based lettings scheme, feedback on the property and the reason why a direct match was offered will be provided on the Sussex Homemove website.

Local Lettings Plans

A Local Lettings Plan (LLP) is an agreement between the council and a Registered Provider that can award priority to certain categories of applicant in a particular area or can exclude certain households from bidding on properties e.g. those under 25 or people with children under a certain age. This is sometimes required to tackle a specific issue or problem that has been identified locally at block, street, estate or neighbourhood level.

LLPs have an important role in widening housing choices for local people and ensuring good housing contributes to regeneration and renewal.

The council will work with Registered Provider partners to develop LLPs for new developments or regeneration areas if needed. These policies will only be agreed in exceptional circumstances and will be carefully considered to make sure they are the best thing for the town as a whole.

In some LLPs applicants may be given additional priority within their band if they are working or making a community contribution. Where an applicant is given additional priority their application may be considered above other applicants in the same band who do not have this priority.

LLPs can help towards the development of balanced, sustainable communities and can have a positive impact on education, local businesses and health.

LLPs will be available to view online and details of any restrictions to bidding criteria will be evident in property adverts.

Other linked schemes and Housing Options

Due to the pressures on social housing across the borough, applicants will receive advice and information about a range of housing options e.g. low cost home ownership and private rented sector solutions.

The council and/or Registered Provider may be able to offer the following solutions:

- Assistance to access private rented sector accommodation
- Assistance to access supported accommodation
- Mutual Exchange/HomeSwapper

APPEALS AND REVIEWS

This section sets out the procedure for requesting a review of the following decisions:

- To exclude someone from the Housing Register (or to exclude them from bidding), or to remove someone from the Housing Register other than at his or her request
- That a household is ineligible for an offer of accommodation
- Where a priority has been removed
- Where a Direct Let has been offered and/or refused
- Priority Band and priority date
- Any other decision in relation to the Homemove Scheme

Procedure to be followed where a decision has been made to exclude/remove an applicant from the Housing Register

An officer of appropriate seniority to the original decision maker and who was not involved in the original decision will be responsible for carrying out the request for a review.

A request for a review must be made within 21 days from the date on which the applicant is notified of the council's decision and the reasons for it. The council can extend the time limit in exceptional circumstances.

A request should be made in writing. Assistance is available from the organisation listed in [Appendix F](#).

The reviewing officer will carry out an investigation and if further information is required, invite the applicant to write or if unable to do this make oral representations. The applicant may also appoint someone on his or her behalf to do this.

If the reviewing officer finds that the officer who made the decision did not take relevant information into account they will refer the file back to that officer for reconsideration.

The officer will notify the applicant of their decision and the reasons for it within 56 days of the request for a review; there is no right to request a review of the decision unless the applicant's circumstances have significantly changed and supporting evidence is provided.

Procedure to be followed for all other review requests (excludes those covered in Section 16.1)

All requests for a review concerning an applicant's status on the Housing Register should be made in writing to the council's Housing Options Team. In circumstances

whereby the applicant is unable to make a request in writing, alternative arrangements will be considered.

An officer more senior than the original decision maker will be responsible for conducting this review. The applicant will be notified in writing of the outcome within 56 days of their original request.

Any further requests for a review will only be considered where the applicant is able to provide evidence of a material change in their circumstances that was not made available at the time of the original request for a review. The reviewing officer will consider any material change in circumstances and write to the applicant to confirm the outcome within 56 days of the request for a review.

If the applicant is unable to provide evidence of a material change in their circumstances, they will be notified in writing that a further review will not be carried out.

THE LEGAL FRAMEWORK

Statement of choice

Hastings Borough Council and its Registered Provider partners to operate a choice-based lettings scheme (Homemove). This is the Scheme as required under Section 167 of the Housing Act 1996 (as amended by the Homelessness Act 2002 and the Localism Act 2011). This Scheme takes account of the revised Code of Guidance on allocations issued in June 2012. It sets out the priorities and procedures for the council's nominations to Registered Providers. The scheme applies to both existing Registered Provider tenants wanting to move (referred to in this policy as 'Transfer Tenants'), and to new applicants applying to the Housing Register for the first time (referred to as 'Homeseekers').

The council is committed to having a lettings scheme that offers greater choice to all those registered for social housing, enabling people to make well informed decisions about their housing options. The Homemove Scheme is intended to improve the sustainability of social housing stock to maximise its effectiveness and encourage residents to have a stake in their community.

Related documents

In compiling this scheme due consideration has been given to all relevant legislation including, but not exclusively:

- Allocation of Accommodation: Guidance for local housing authorities in England (2012)
- Data Protection Act 1998
- General Data Protection Regulations
- Equality Act 2010
- Freedom of Information Act 2000
- Homelessness Act 2002
- Housing and Regeneration Act 2008
- Human Rights Act 1998
- Localism Act 2011
- Homelessness Reduction Act 2017

Regard has also been given to Hastings Borough Council's own policies including:

- Hastings Borough Council's Tenancy Strategy 2012
- The Hastings and St Leonards Housing Strategy 2016-18
- The Hastings and St Leonards Homelessness Strategy 2016-18
- Hastings Local Plan 2014

This Scheme has considered:

- The council's statutory obligations and discretion as to who is eligible for an allocation of social housing.

- The council's statutory obligation to provide 'Reasonable Preference' to certain categories of applicants set down by law, i.e. those who must be given a 'head start' under the council's Allocation Scheme.
- The council's statutory discretion to grant 'Additional Preference' and/or to determine priority between applicants with 'Reasonable Preference'.

The scheme is also compatible with the council's equality duties including the duty to eliminate unlawful discrimination and to promote good relations between different racial groups, as well as the duty to promote equality.

The council has carried out an Equality Impact Assessment for the Scheme.

Homemove Registered Provider partners

The following Registered Providers are partners to Homemove in Hastings:

- Optivo
- Clarion Housing
- Home Group
- Housing 21
- Orbit
- Places for People
- Stonewater
- Brighton Housing Trust
- Southern Housing Group
- Local Space

General Data Protection Regulation (GDPR)

The council complies with the requirements of the General Data Protection Regulations regarding the security of personal data.

Data Protection Act 1998

The Data Protection Act 1998 is designed to protect personal and sensitive data about living individuals (data subjects). The Act also places obligations on those organisations that process personal and sensitive data (data controllers). As a data controller, the council must comply with this legislation by applying the principles of good information handling across all services related to the Allocation Scheme.

APPENDIX A

Accommodation not included in the Allocation Scheme

The Housing Allocation Scheme does **not** detail how the following accommodation will be allocated:

- Emergency accommodation for homeless households.
- Supported accommodation funded by East Sussex Supporting People Programme.
- Supported accommodation where people receive care and support in the home.
- Accommodation provided by the council's Social Lettings Agency

The allocation of the accommodation listed above will be covered by protocols and service level agreements agreed with the landlord, commissioners and/or support providers.

Please contact the Housing Options Team for details on how to access:

The council's Social Lettings Agency – leased accommodation from private landlords

Merrick House – supported accommodation for single homeless households.

Priory Avenue – supported accommodation for homeless households including families.

Bal Edmund – supported accommodation for single people with a mental health problem

Turner House – supported accommodation for young mothers with young children.

BHT young people's accommodation – supported accommodation for people aged 16-21.

Hastings Refuge – supported accommodation for female victims of domestic abuse.

SAILS – supported accommodation for independent living scheme.

Marlborough House Extra Care Scheme – accommodation for older people that need care and housing related support as approved by the Marlborough House panel members.

Bennett Court – supported accommodation for those who receive care for a mental health problem.

Ridgelands – accommodation for people who need care for a learning disability.

APPENDIX B

Eligibility for the Housing Register

Applicants under 18 years of age

Anyone aged 16 or over can join the Housing Register although a person under the age of 18 does not have the legal right to hold a tenancy. Therefore, any tenancy granted to persons aged 16 or 17 will be held by trustees or issued as a licence/equitable agreement.

Local Residency Connection

A local residency connection will only be established where the applicant has resided in the Hastings Borough for at least 3 out of the last 5 years or for at least 5 out of the last 10 years.

Any period of time where an applicant was accommodated in the borough by another local authority and a statutory duty was in place will not count towards the eligibility period.

Exceptions

The local connection criteria will not be applied to:

(i) Armed Forces

Members of the Armed Forces, and former service personnel, where the application is made within 5 years of discharge.

Bereaved spouses/civil partners of members of the Armed Forces who are leaving Services Family Accommodation because of the death of their partner.

Serving or former members of the Reserve Forces needing to move because of serious injury, medical condition or disability sustained as a result of their service.

(ii) Local Employment Connection

A local employment connection will be established where a household member is currently employed and has worked in Hastings continuously for the last 2 years.

Their employment contract must also be for a minimum of 16 hours per week.

Discretion will be applied when assessing the residency criteria of applicants who are employed, where they do not meet the normal residency criteria.

(iii) Need to Move Connection

Local connection will not be applied to existing social housing tenants seeking to transfer from within the Hastings Borough or another local authority district in England who:

- have reasonable preference under s.166(3)(e) because of a need to move to the local authority's district to avoid hardship, and
- need to move because the tenant works in the district, or
- need to move to take up an offer of work

The council must be satisfied that the tenant needs, rather than wishes, to move for work related reasons. Not all forms of work will qualify; examples include but are not limited to: short-term contracts and voluntary work. In the Secretary of State's view the factors that should be taken into account in determining whether a tenant needs to move to be closer to work or to take up a job offer include (but are not limited to):

- the distance and/or time taken to travel between work and home
- the availability and affordability of transport, taking into account level of earnings
- the nature of the work and whether similar opportunities are available closer to home
- other personal factors, such as medical conditions and child care, which would be affected if the tenant could not move
- the length of the work contract
- whether failure to move would result in the loss of an opportunity to improve their employment circumstances or prospects, for example, by taking up a better job, a promotion, or an apprenticeship

* Please refer to the Department of Communities and Local Governments 'Right to Move' guidance for further detail on what qualifies as work and how hardship will be defined and assessed.

(iv) Care Leavers

Care leavers at threat of homelessness will be able to demonstrate a local connection if:

- they were looked after by East Sussex County Council and owed leaving care duties, or
- for care leavers under 21 years old – if they have been placed in accommodation under section 22A of the Children Act 1989 and have lived in Hastings for at least 2 years, including some time before they were 16 years old

(v) Other

In exceptional circumstances the following households will be eligible to go onto the Housing Register without a local residency connection. This may include:

- Applicants with an existing social housing tenancy in Hastings who also have an identified housing need.
- Households to whom Hastings Borough Council owes a statutory homelessness duty.

- Victims of domestic violence for whom it is unsafe to remain in, or return to, their usual area of residence.
- Cases of witness protection or referrals made under various protocols in force at the time, including MAPPA (Multi-agency public protection arrangements) households with a housing need.
- Where local demand has been exhausted the council may use its discretion to allocate extra care accommodation to those with no local connection to Hastings to support wider county demand for accommodation for people who have an identified care need.

Housing Need

Most households accepted onto the Housing Register will be required to have an identified housing need.

An identified housing need can include any household in the Borough where the following apply:

- Under-occupation of social housing.
- Insanitary or overcrowded housing in accordance with the Housing Health and Safety Rating System (HHSRS)*.
- Lacking bedrooms.
- Medical conditions.
- Risk of personal harm.
- Exceptional circumstances.
- The need for works to be carried out on existing social housing properties.
- Bedroom requirements for fostering and adoption.
- Management transfers.
- Difficulties in accessing and maintaining private rented sector accommodation.
- The need for adaptations.
- The need of applicants who have served in the armed forces.
- Welfare needs.

* Housing Act 2004, Housing Health and Safety Rating System (HHSRS)

Further details of how each area of housing need will be assessed and banded is in Section 4 and Appendix D.

APPENDIX C

Households not eligible to join the Housing Register

Households ineligible for assistance

By virtue of Section 160ZA of the Housing Act 1996 (as amended) (but subject to certain exceptions set out therein) the council cannot allocate housing accommodation to the following people:

1. (a) A person from abroad who is ineligible for an allocation of housing accommodation by virtue of subsection (2) or (4), or (5)

 (b) Two or more persons jointly if any of them is a person mentioned in (a).
2. A person subject to immigration control within the meaning of the Asylum and Immigration Act 1996 (as amended) is ineligible for an allocation of housing accommodation by a local housing authority unless he is of a class prescribed by regulations made by the Secretary of State.
3. No person who is excluded from entitlement to Housing Benefit or Universal Credit by Section 115 of the Immigration and Asylum Act 1999 (exclusion from benefits) shall be included in any class prescribed under (2).
4. A person subject to immigration control within the meaning of The Immigration (European Economic Area) Regulations 2006 (as amended).
5. The Secretary of State may by regulations prescribe other classes of persons from abroad who are ineligible to be allocated housing accommodation.

Households with housing related debt

Any household member owing the equivalent of 8 weeks or more rent to a former landlord, mortgage provider or freeholder from any tenancy, mortgage agreement or leasehold agreement in the last 5 years may be prevented from accessing the Housing Register. Where an applicant can evidence that their circumstances have changed and they can also evidence that they are reducing their arrears through regular payments, however small, and that they have an arrangement in place to continue to pay will be eligible to join the Housing Register. Discretion will be applied in exceptional circumstances when granting access to the register to those who are in arrears.

Households considered to have caused anti-social behaviour

Where conduct of any member of the household within the last 5 years amounts to anti-social behaviour that has resulted in intervention and/or action taken against them by the Police, Local Authority or previous landlord. Where a household can

demonstrate their circumstances have changed and they have taken action to address the anti-social behaviour they will be eligible to join the Housing Register.

Anti-social behaviour is any aggressive, intimidating or destructive activity that damages or destroys another person's quality of life (Home Office definition).

The Anti-Social Behaviour Act 2003 states that anti-social behaviour is when someone has caused or is likely to cause alarm, harassment or distress to one or more persons, not living in the same households.

Examples of anti-social behaviour could be:

- Being threatening or intimidating
- Verbal abuse
- Criminal damage, vandalism or graffiti
- Persistent nuisance behaviour
- Drunken behaviour
- Fly tipping
- Noise nuisance

Anti-social behaviour can be committed by an individual or a group of individuals.

Financial resources available to meet own housing costs

In most instances an applicant will not be eligible to join the council's Housing Register if they have sufficient financial resources to meet their own housing needs. This will include an assessment of an applicant's eligibility for government approved lending schemes such as the Help to Buy Scheme. Current or former members of the Armed Forces will have discounted from any assessment of their savings and/or income relating to compensation payments from the Ministry of Defence.

Those considered to have sufficient financial resources will be where:

- The household income and/or savings would be sufficient to enable them to afford to purchase accommodation on the open market or secure private rented sector accommodation locally which is affordable and suitable for the household requirements.
- The household owns a residential property (outright or with a mortgage) that would accommodate the household or could be sold to generate income to resolve their housing needs.

Each case will be assessed and considered on its own merit taking individual circumstances into account as well as the local housing market at the time of application. Where an applicant has a specific housing need e.g. for an adapted property, this will be taken into account alongside the above when considering whether they have sufficient resources to meet their own needs.

Households with no housing need

As per Section 166A (3) of the Housing Act 1996 (as amended) or failing to be considered to fall within one of the Priority Banding categories – see Section 4 and Appendix B.

APPENDIX D

Assessments and Banding Decisions

The Housing Options Team will determine which priority Band the household should be placed into taking into account any relevant information and where appropriate seek additional information.

Bedroom Eligibility

1 bedroom for each of the following:

- A couple
- A person who is not a child (aged 16 and over)
- Two children of the same sex
- Two children who are under 10
- Any other child (other than a foster child or child whose main home is elsewhere) reasonably expected to reside within the household
- An unborn child, where the mother is at least 28 weeks pregnant and the birth of the child will create a bedroom entitlement / housing need
- A carer (or group of carers) providing overnight care
- Children who cannot share due to a disability or medical condition
- Adults who cannot share due to a disability or medical condition

Applicants should be aware that:

- an additional bedroom will not generally be permitted in circumstances where married or cohabiting couples are affected by sleep disturbance due to the medical condition of one of the parties.
- an additional bedroom may exceed the bedroom entitlement criteria for Local Housing Allowance, and may not be fully covered by housing benefit as it could be subject to the removal of the spare room subsidy (commonly known as the 'bedroom tax').
- Registered Providers may apply their own criteria when determining whether a property with an additional bedroom can be allocated to the household.
- If you are fostering a child and social services are supportive of your application, we will include them in your household when calculating the size of property to which you are entitled. However, if you are claiming Housing Benefit a foster child is not included as part of your household when working out the size of property in which you are entitled to claim Housing Benefit and you may have to make up the difference from the money you receive from Social Services.
- Families who are eligible for 3 bed accommodation or larger may be able to choose to bid for properties which are one bedroom smaller than they need, where the move offers an improvement on their current housing conditions.

Carer Providing Overnight Care

Current Housing Benefit Regulations define a 'person who requires overnight care' as someone who:

- Receives Attendance Allowance, or
- Receives the middle or highest rate **care** component of Disability Living Allowance
- Receives the standard or enhanced PIP daily living component
- Confirmation from Adult Social Care in the form of a Care Needs Assessment

Homeless Applicants

Hastings Borough Council intends to make full use of the Localism Act to discharge homelessness duties into the private rented sector. This Allocation Scheme assumes that wherever possible the council will provide advice and assistance to households at risk of homelessness to secure suitable accommodation and where necessary will discharge the homelessness duty by making available a private sector tenancy.

- **Band A:** Homeless households whereby Hastings Borough Council has accepted a full homelessness duty (Section 193 of the Housing Act 1996 as amended) and are currently residing in short-term emergency accommodation.
- **Band C:** All other homeless households owed a duty under Part VII of the Housing Act 1996 as amended. Households owed a prevention (s195(2)) or relief duty (s189B)

Serious imminent personal risk

Band A will be awarded to applicants in exceptional circumstances due to significant and insurmountable problems associated with the current property and where there is imminent personal risk to the household if they remain, e.g. severe harassment. For Transfer applicants, priority will be jointly agreed between the relevant housing provider and the council. Evidence to support the application will be required e.g. Police reports or Registered Provider.

Cumulative circumstances

Band A will be awarded when a household is considered to have met 3 or more Band B categories.

Housing conditions

Band A will be awarded where a private sector property has one or more Category 1 Hazards*, where the council has served a Prohibition Order **and** where the relevant conditions present an immediate threat of serious injury or a threat to life.

Band C will be awarded where a private sector property has one or more Category 1 Hazards* (excluding overcrowding) confirmed by the council's Housing Renewal Team and the landlord is not taking reasonable steps to remedy the identified hazard in a reasonable timeframe.

* Housing Act 2004, Housing Health and Safety Rating System (HHSRS)

Hardship

Band C will be awarded where a member of the household requires a move to a particular locality where failure to meet that need would cause particular hardship e.g. to give or receive care or support. Local Connection criteria will still be applied when considering whether a household is eligible to join the Housing Register.

Medical need to move

Band A will be awarded where a person has a medical condition or disability where their home is unsuitable for their needs and there is an urgent need to move to an alternative home to improve their medical condition or disability; this includes:

- Where they are entirely housebound or unable to access essential facilities
- Where they cannot return to their home (e.g. from hospital or care).
- Where essential care cannot be provided because the home is unsuitable (e.g. if there is not enough space to store specialist equipment).
- Other medical grounds for requiring an emergency move.

Band B will be awarded where a move will significantly improve a household member's condition or disability; this includes:

- Access to essential facilities is limited but not entirely impossible.
- An applicant in an upstairs flat with mobility problems who has significant difficulties in going out alone but would be able to if they lived in a ground floor property.
- An applicant requiring carers to help with cooking or bathing but could be independent in an adapted property.
- An applicant with a medical condition helped by bathing living in a property with only a shower.
- An applicant with a child with special needs whose needs are increasing and a ground floor bedroom will be required.
- A severe medical condition or disability whereby it has been confirmed by a medical practitioner that all medical interventions have been explored and

exhausted and there is no further treatment available to enable them to remain in their current property; and their medical condition or disability remains an enduring issue that will only be significantly improved by a move to a more suitable property.

Affordable Housing is a limited resource and therefore the council shall expect households to make use of the private rented sector where possible.

Examples of those scenarios whereby no medical priority will be awarded for an application to join the Housing Register are:

- Those with mild to moderate asthma (or other similar ailment) made worse by damp housing conditions.
- Those with mild to moderate arthritis (or other similar ailment) made worse by their current housing conditions.
- Those with mild to moderate depression/anxiety (or other similar ailment) made worse by their current housing conditions.

Housing for Older People / Sheltered Housing

Applicants aged 55 years or older who are eligible to join the Housing Register but have no other housing need will be awarded a Band D.

The majority of properties for older people will be advertised for applicants aged 65+.

Priority will be given to households who meet the specified age eligibility criteria in the property advert. Registered Providers may use their discretion to consider other bids if no suitable household meets the age eligibility criteria.

APPENDIX E

Internet access to Homemove information and bidding

Hastings Borough Council

Community Contact Centre
Town Hall
Queens Square
Hastings
TN34 1TL

Optivo

6-7 Cornwallis Street
Hastings
TN34 1SS

Optivo - Neighbourhood Office

5 Kennedy Court
Stonehouse Drive
St Leonards on Sea
TN38 9DH

Optivo - Neighbourhood Office

45-51 Chiltern Drive
Hastings
TN34 3PY

Orbit South

Unit 2
Station Parade
Ore Valley Road
Hastings
TN34 3FH

Hastings Library

Hastings Resource Centre
Carisbrooke House
Stockleigh Road
St Leonards on Sea
TN38 0JP

Opening Hours: Monday 10-2pm; Tuesday-Friday 10-4pm

The Bridge Community Centre

361 Priory Road
Hastings
TN34 3NW

APPENDIX F

Agencies that may be able to assist with additional housing advice:

**BHT - Hastings Advice
Renaissance House
London Road
St Leonards on Sea
TN37 6AN**

Tel 01424 03444 111444

You can also get independent legal advice.