



City of **Stoke-on-Trent**

Allocations Policy

Housing Revenue Account Services

1st April 2018

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1. Purpose

The purpose of the Allocations Policy is:

- To provide a clear framework in relation to qualification for social housing in the city.
- To make best use of social housing in the city.
- To help local people live independent lives in housing and neighbourhoods which are appropriate to their needs.

2. Scope

The Allocations Policy includes information regarding how applicants will be prioritised and selection of an applicant for a housing offer. The policy demonstrates a commitment to meeting the needs of individuals and the wider community.

The allocations process includes:

- Assessment of applications
- Providing advice, assistance and information
- Offering choice
- Assessing eligibility and qualification to join the waiting list
- Determining priority amongst applicants
- Allocating homes
- Renewing and updating applications
- Successions and transfers
- Nominations to Registered Providers.

For the purposes of this policy an allocation is defined as:

- The selection of a person to be an introductory, secure or fixed term¹ tenant of accommodation owned by the local authority.
- A nomination of a person to be an introductory, secure or fixed term tenant of accommodation owned by another local authority.
- A nomination of a person to be an assured tenant of accommodation held by a Private Registered Provider.
- A nomination of a person to be an assured shorthold tenant of accommodation owned by a private landlord

Accommodation will be offered in accordance with the requirements of the Housing Act 1996 and Housing and Planning Act 2016.² The Council will also take account of relevant statutory guidance regarding the allocation and length of fixed term tenancies. Details of the types of fixed term tenancies to be offered will be contained within the review of the existing Tenancy Policy.

Successions and assignments are not legally defined as allocations; however the approach

¹ Fixed Term tenancy will be the type of tenancy which the Council will have to offer following the implementation of Part 4 (Chapter 6) and schedule 7 of the Housing and Planning Act 2016; the provisions will also apply to Introductory tenancies as the Council operates an Introductory Tenancy Scheme

² When fully implemented

adopted by the city council in relation to these has been summarised within this policy for the purposes of providing a complete picture.

3. Key Principles and Service Standards

This policy aims to ensure that council owned housing and housing made available to the Council through nomination agreements is allocated in a fair, consistent and transparent way. It is aligned to the Void Management Policy 2013 and aims to ensure that properties are let quickly and efficiently to those most in need.

The policy will ensure that a forward thinking and strategic approach is adopted in relation to the allocations process by:

- Ensuring that applications are assessed using a broad understanding of the applicants' circumstances.
- Ensuring that each applicant is given appropriate housing advice bespoke to their needs.
- Ensuring that housing is allocated to those most in need, while also recognising the impact on the wider community.

4. Local Context

The city council owns and manages circa.18, 400 properties across the city and makes around 1500 allocations each year. Accommodation primarily comprises of 2 and 3 bedroom properties, but the city council also manages over 3,000 bungalows, 7 sheltered schemes and around 3,000 flats across the city.

5. Legal and Regulatory Framework

The Allocations Policy complies with the requirements of the Housing Act 1996 (Part 6), as amended by the Homelessness Act 2002 and the Localism Act 2011 and the Homeless Reduction Act 2017. It takes account of the provisions in the Housing and Planning Act 2016, and published codes of guidance. The Policy ensures that reasonable preference for social housing is given to those classes of persons set out within Section 166 A (3) of the Housing Act 1996 by framing housing need around the reasonable preference categories. The Council can grant 'additional preference' to applicants where the Council is satisfied that applicants who have been assessed as having a reasonable preference also have other exceptional or urgent housing needs. For example, there are special provisions for such additional preference in relation to Her Majesty's Armed Forces personnel who have urgent housing needs (see 7.6).

In determining this Policy, regard has been given to the City Council's Homelessness Strategy and also to the Tenancy Strategy.

The policy has also been developed with due regard to the Regulatory Framework for Social Landlords, which states that Registered Providers shall:

- Offer tenancies or terms of occupation which are compatible with the purpose of the accommodation, the needs of individual households, the sustainability of the community and the efficient use of their housing stock.
- Clearly set out and be able to give reasons for, the criteria they use for excluding actual and potential tenants from consideration for allocations, mobility or mutual exchange schemes.
- Co-operate with the local authority's strategic housing function, and their duties to meet identified local housing needs. This includes assistance with the local authority's homelessness duties, and through meeting obligations in nominations agreements.
- Shall develop and deliver services to address under-occupation and overcrowding in their homes, within the resources available to them. These services should be focused on the needs of the tenants, and will offer choices to them.
- Provide tenants wishing to move with access to clear and relevant information about their housing options.

The Allocations Policy will be kept under review and will be amended and updated as necessary in order to conform to emerging legislation and guidance.

Information about the housing waiting list will be available through Performance figures available quarterly from the City Council.

6. Equalities Statement

The city council recognises that it provides housing advice and accommodation for communities which include wide social diversity, and is committed to providing equal access to services.

The allocations process aims to treat all customers fairly, and with respect and professionalism. In line with the duty placed on the local authority under the Equalities Act 2010 specific consideration of the impact of this policy has been given to people with protected characteristics, including gender, race, age, disability, religion, sexual orientation and marital status. This Policy has been designed to be fully inclusive and an Equality Impact Assessment has been completed to inform the policy.

For monitoring purposes, all applicants will be asked to provide details of their gender, age, religion, disability, ethnicity and sexual orientation.

7. Policy Detail

7.1 Providing Advice, Assistance, Information and Preventing Homelessness

The city council provides a high quality advisory service to all local people. The aim of this service is not only to provide advice and information regarding housing in the city but also to provide advice with regard to preventing homelessness, securing accommodation if homeless and to inform persons of their rights should they find themselves in a situation where they are homeless or threatened with homelessness. This service is available to everyone and is free of charge.

7.1.1 Housing Needs Approach

All applicants approaching the Housing Solutions Service will receive bespoke Housing Needs Advice. This advice complies with the requirements of the duty in section 179 of the Housing Act 1996 as extended by the Homeless Reduction Act 2017.

The Council's advice service is designed to provide tailored support to the following vulnerable groups:

- Care leavers
- Former armed forces
- People leaving custody
- Victims of domestic abuse
- People with mental health issues

Applicants are encouraged to consider all housing options in order to make the best decision to meet their individual housing needs.

In order to ensure that a robust assessment of the applicants circumstances is completed a home visit may be arranged if required. The Housing Needs Assessment will consider eligibility, qualification, community contribution and banding, and will include a review of all household income and expenditure³.

³ The stages in the Assessment are set out in Appendix 1.

The Housing Needs Assessment will consider the broader housing options available to applicants, including private rented housing, supported housing, owner occupation, lodging and social rent. The purpose is to provide applicants with the information they need to make appropriate housing choices.

All applicants will be provided with detailed information about their housing options including referrals to the Home Improvement Agency, Disabled Facilities Grants and low-cost home ownership as appropriate.

Information on housing options will be available to all applicants regardless of their homelessness status or level of housing need.

The city council is now able to discharge homelessness duty by offering accommodation in the private rented sector. The city council may decide to make offers on this basis where this is deemed to be in the best interest of the applicant, for example if the supply of social housing in the required area is limited, or it enables the Council to discharge its homelessness duty

7.1.2 Homelessness

If the city council has reason to believe that an applicant is homeless or threatened with homelessness, it has a statutory obligation to inquire whether the applicant is eligible for assistance and if so what duty is owed to that person and further to inform him/her of the outcome of those inquiries.⁴

In addition to the duty to inquire, the Homelessness Reduction Act 2017 imposes a further duty on the City Council to assess the applicant's case and to agree with him/her a personalised housing plan where it is satisfied that an eligible applicant is homeless or threatened with homelessness within the next 56 days following their presentation to the Housing Solutions Service or any other statutory agency.

In accordance with the law, eligible homeless applicants will be assessed in order to determine:

- The circumstances that have caused the applicant to become homeless or at risk of being homeless
- The housing needs of the applicant
- The necessary support needs required in order to enable the applicant to retain or acquire suitable accommodation

The assessment will be shared with the applicant and a written Personal Housing Plan will be created which will sets out the 'reasonable steps' which the city council and the applicant will take. The applicant will be asked to agree the plan. In cases where applicants do not agree to the plan the city council can still issue the plan notwithstanding the lack of agreement by the applicant.

Homeless applicants will be placed on the Housing Register and awarded a housing preference as follows:

⁴ If the decision is against the interests of the applicant-the reasons for the decision must be provided- section 184(3) of the Housing Act 1996

Band One - Urgent need. Applicants who are homeless or considered to be owed a homeless duty under section 193 (2) or section 190 (2) of the 1996 Housing Act.

Band Two – High Need. Homeless and owed or considered to be owed a homeless duty under section 189 (b) or section 195 of the 1996 Housing Act as amended by the Homeless Reduction Act 2017. Other homeless categories and vulnerable and/or street homeless or at risk of street homelessness

Bands Three and Four – other homeless categories

The Banding Scheme is summarised at section 7.6 and detailed descriptions of the categories are in Appendix Two of this policy.

Dependent on the individual circumstances of the case, interim accommodation may be offered to an applicant whilst the assessment is undertaken.

In order to facilitate customer choice or to discharge a homelessness duty the city council may make a nomination to other social housing or find suitable accommodation in the private sector.

7.1.3 Making an Application for Social Housing

An application for social housing or a request for information at any stage of an application can be made in the following ways:

- In person at the Housing Solutions Service, **One Smithfield, Leonard Coates Way, Hanley, ST1 4FA, Stoke-on-Trent**
- By telephone on 01782 233696
- Via email at housing.adviceservices@stoke.gov.uk.
- On line at <http://www.stoke.gov.uk/ccm/navigation/housing/housing-options/>

An application will usually be registered under the head of the household's name. A joint application can be made where a tenancy will be shared by two or more people. Information on all individuals that are to be rehoused within the household must be included at the application stage.

Applicants have the right to request general information from the Housing Solutions Service that will enable them to assess:

(a) How their application is likely to be treated under the scheme and, in particular, whether they are likely to have a reasonable preference

(b) Whether accommodation appropriate to their needs is likely to be made available and, if so, how long it is likely to be before such accommodation becomes available.

7.1.4 Offering Choice

The choice of social housing in the city is limited with only a small proportion of properties becoming available each year for let. During the housing needs interview applicants will be advised to consider their broader housing options to improve the choice of housing available. Applicants will also be able to identify areas of preference on their application and, wherever possible, offers will be made in these areas. In some areas of the city the supply of social housing is extremely limited and applicants will be advised that selecting these areas will significantly increase the time they are waiting for accommodation. Preferences about location must be aligned to information and decisions about housing need – if not; priority on the waiting list may be withdrawn.

The number of bedrooms a household requires will be determined by the bedroom standard set out in Section 7.10.

Applicants will also be asked for preferences in relation to housing aspects which will materially affect their housing choices. This may include preferences on heating systems, size of garden, ability to manage steps leading to/from the property and use of mobility scooters. This information will help to ensure that offers of accommodation are well informed and therefore reasonable to the applicant. Applicants will be advised that expressing a high number of particular preferences may make it difficult to find a property, resulting in a longer waiting time. Applicants will also be advised that adding more areas onto their application will increase potential choice as a larger number of properties may be available to them.

7.1.5 Types of Council Tenancies

The Housing and Planning Act 2016 (“the 2016 Act”) will apply to the allocation of all new tenancies granted after the Act comes into force. At the time of writing this policy, the relevant provisions relating to council tenancies are not yet in force.

After the 2016 Act has been implemented, the council will be required by law to offer a fixed term tenancy to the majority of new tenants. This will be defined in the Council’s Tenancy Policy.

Once the 2016 Act is in force, the council will when making an allocation take account of relevant statutory guidance.⁵

After the 2016 Act comes into force the council will still be able to offer secure tenancies but only in certain circumstances as set out in regulations. For example, if a tenant is offered a replacement tenancy for their existing secure tenancy and they have not requested the move. Circumstances where this may happen include estate regeneration or clearance programmes.

In response to the Housing and Planning Act 2016 the council will amend the Tenancy Policy to determine the terms under which tenancies will be offered in Stoke-on-Trent.

From 2019, single people under the age of 35 will only be able to claim Housing Benefit at the Local Housing Allowance Shared Accommodation Rate. This rate will be equivalent to the amount it would cost to rent a room in a shared house and may not cover the full rent payable for a council property. This change will affect tenants taking up a council tenancy on or after 1st April, 2016.

The council is able to offer shared tenancies to applicants. Shared tenancies are for two people who are willing to share a two bedroom property with each other, with both parties being jointly and severally responsible and liable for all charges on the property and for complying with the tenancy agreement. This means that if there are missed rent payments, either one or both the joint tenants can be held responsible for the full amount that is due. The same approach will apply if any other tenancy conditions are broken.

Shared tenancies will be offered on a fixed term basis in accordance with the Housing and Planning Act 2016 when it comes into force.

⁵ This includes statutory guidance issued under the Housing and Planning Act 2016

7.2 Assessment of Applications

Applications for housing are made under the council's Allocations Policy using a standard assessment. Once the application is received, including supporting information as required, the assessment of eligibility, qualification, level of housing need, and community contribution will be completed by Housing Needs Officers from the Housing Solutions Service at the city council. Applicants will be asked to provide photographic identification as part of their application, which will be retained in accordance with the Data Protection Act 1998. If photographic identification is not available the applicant may be asked to provide a passport style photograph together with other forms of identification.

The assessment of applications will be undertaken based on individual needs and requirements. The city council will seek to ensure that assessments are made based on evidence provided. Where there is a need to undertake further investigation, or verification of information, the application will be placed in a pending status.

Having determined that an applicant is eligible and also qualifies for council housing the applicant will be placed on the Housing Register and allocated a band. Eligibility and qualification may be re-assessed prior to making an allocation, particularly where a substantial period of time has elapsed since the assessment of the original application.

In all instances it is the applicant's responsibility to ensure that appropriate proof of identity is provided. It is also the responsibility of the applicant to provide additional supporting evidence, including evidence of work, immigration status, child benefit claims, criminal convictions and income.

7.2.1 Medical Assessment

Applicants requiring a move based on medical need will be subject to a medical assessment based on the extent that the health condition will be improved by a move to alternative accommodation. Where necessary the city council will seek the opinion of a medical expert⁶ in determining whether priority will be awarded, and at what level.

⁶ It is likely that this will be a GP or a consultant

7.2.2 Confidentiality

All information held about applicants on the Housing Register is subject to the Data Protection Act 1998. Subject to the provisions of the Data Protection Act 1998 (the Act) the council may transfer that information to relevant third parties in order to carry out their investigations into eligibility for housing purposes. Save for the circumstances below, the council will seek the express consent of applicants before information about their application is shared.

In exceptional circumstances the city council has the right to share information about applicants without permission. These circumstances include (but not exclusively):

- Fulfilling requirements set out in the Crime and Disorder Act 1998 (Section 115).
- Where there is a serious threat to staff, partner agencies or contractors.
- Where information is relevant to the management or support duties of the proposed landlord or support organisation to ensure the health and safety of the applicant, a member of the household or a member of staff.

In accordance with the Data Protection Act 1998 applicants are entitled to see information held on their file at any time.

7.2.3 Right to Review

If applicants are dissatisfied with any decision made about their application they have the right to request a review. Specifically applicants have the right to request information about, and review of, decisions regarding:

- The facts of their case which have been taken into account in considering their application.
- Any decision to treat them as ineligible due to unacceptable behaviour.
- Information about the review process and the decisions reached, including the reasons behind all decisions.
- Any homeless decision made to the applicant

Applicants should request a review in writing within 21 days of being notified of the decision. The council will determine the review within 56 days of the request, in line with national guidance. Where a longer time scale is required this will be agreed with the applicant and the reason for the delay explained in full.

Reviews will be carried out by a service manager as delegated by the appropriate service Director. The decision of the city council is final and any challenge of this decision can only be made by way of a judicial review.

The city council also operates a formal Complaints Procedure. Applicants who want to make a complaint or comment about the allocations process can use this procedure. Details are available from any council office or online (www.stoke.gov.uk).

7.3 Eligibility to join the Housing Register

The law states that the following people are ineligible for social housing or homelessness assistance:

- People who are subject to immigration control.
- People who are not subject to immigration control, but are nevertheless prescribed by regulation as being persons from abroad without habitual residence.
- Any person prescribed by the Secretary of State, including:
 - Persons who have rights of residence in the UK as a result of regulation 15A9) and (4A) of the Immigration (European Economic Area) (Amendment) (No. 2) regulations 2012.
 - Persons who have the right derived from Article 20 of the Treaty on the Functioning of the European Union, in a case where rights of residence arise because a British citizen would otherwise be deprived of the genuine enjoyment of the substance of their rights as a European Union citizen.

Eligibility is defined by central government within the Allocation of Accommodation: Guidance for Local Housing Authorities in England. Eligibility will be assessed at the time that the application for housing is made in line with the most recent legislation and statutory guidance.

7.4 Qualification to join the Housing Register

Qualification for housing is different from eligibility in that the qualification criteria are determined by the city council.

Applicants will qualify to join the Housing Register if they meet all of the following criteria:

- They are aged 18 or over (except in exceptional circumstances agreed by the service manager).
- They have a local connection to the area (as defined in Section 7.4.1).
- They have a recognised housing need (as defined in Section 7.4.2).
- They do not own a property which could legitimately be used as a primary residence or to address the housing need (as defined in Section 7.4.3).
- No person in the household (which includes the applicant) is 'unsuitable' by reason of their unacceptable behaviour (see Section 7.4.4) and which behaviour, in the opinion of the council, would mean that they are unsuitable to be a tenant, unless they are owed the main homelessness duty.

Qualification will be assessed at the time that the application for housing is made and may be reviewed if the application is updated and prior to an offer of accommodation being made.

7.4.1 Local Connection

Local connection will be assessed in accordance with the definition set out in Section 199 of the Housing Act 1996 (Part 7), therefore an applicant will be considered as having a local connection if they, or anyone moving with them:

- Has lived in Stoke-on-Trent by choice for 6 out of the last 12 months or 3 out of the last five years.
- Has close⁷ family living in Stoke-on-Trent and who have lived in the city for over 5 years.
- Has settled employment (paid or unpaid) or education in Stoke-on-Trent.
- Have special circumstances that give rise to a local connection, for example, need to live in the area to receive specialist health care only available in the area.

In all cases applicants will be asked to provide written evidence of their local connection.

The following persons are not required to meet the local connection criteria in order to qualify to join the Housing Register:

- Serving or former member of the Armed Forces (considered in line with the definition set out in Appendix two of this policy) who apply within 5 years of the end of service.
- A person who ceases to occupy accommodation provided by the Ministry of Defence following the death of their spouse or civil partners that had served in the regular forces and the death was attributable to that service.
- A serving member or former member of the reserve forces who is suffering serious injury, illness or disability attributable to that service.
- Existing social tenants of Council or Housing Association properties seeking to transfer from another Local Authority district in England who:
 - Have reasonable preference under the 1996 Housing Act 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 applicant has a genuine intention of taking up the offer

Care leavers aged 18-20 will have a local connection to Stoke-on-Trent if:

- they have lived in the city for two years, including some time before their 16th birthday or;
- they are or have been 'looked after' by Stoke-on-Trent City Council and are owed leaving care duties.

The above local connection may not apply to applicants who are applying as a result of the need to leave their current home due to violence or harassment.

The city council will retain discretion regarding compliance with the above local connection criteria where it considers that there are exceptional circumstances.

⁷ This includes parents, adult children and siblings. It can also include step-parents, grandparents, grandchildren, aunts or uncles provided there are sufficiently close links in the form of frequent contact, commitment or dependency. Family associations may also extend to unmarried couples, provided that the relationship is sufficiently enduring, and to same sex couples.

7.4.2 Housing Need

An applicant will be considered as having a housing need if they fall into one of the following reasonable preference categories⁸:

- People who are homeless, or threatened with homelessness⁹, this includes people who are not in priority need, including households fleeing domestic violence, applicants moving as a result of fire or flood and applicants homeless as a result of losing their accommodation through family or relationship breakdown.
- People occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing. Unsatisfactory housing will be determined as uninhabitable by an Environmental Health Officer.
- People who need to move on medical or welfare grounds, for example households who require a move due to harassment or violence, applicants unable to return to their home following an accident or illness or applicants who are in serious financial hardship.
- 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 others, for example to give or receive care. This category could include existing social tenants of other Local Authority areas in England who need to move to a particular locality in Stoke-on-Trent in order to work, where failure to meet that need would cause hardship to themselves or others in their household, for example because of the availability and/or affordability of transport, taking into account level of earnings.

7.4.3 Owning Property

Applicants who own property anywhere else will not qualify for housing unless there is a legitimate reason why the property cannot be occupied as the principal home for the applicant or cannot be sold to meet the housing need.

Consideration will be given to the suitability and condition of the property owned, the value of the property if it is sold, household income and the market price of accommodation required to meet the housing need.

Applicants may not be accepted as having a housing need if they recently sold a property and this action led to a worsening of their housing need.

⁸ More detailed definitions for each of the criteria are set out in Appendix 2.

⁹ Within the meaning of Part 7 of the Housing Act 1996, and including those owed a duty by any housing authority under section 190(2), 193(2) or 195(2) of the Housing Act 1996 or under section 65(2) or 68(2) of the 1985 Housing Act and people who are occupying accommodation secured by any housing authority under section 192 (3) of the Housing Act 1996.

7.4.4 Unacceptable Behaviour

The Housing Act 1996¹⁰ (as amended by the Localism Act 2011) permits Local Authorities to determine what persons are or are not qualified to be allocated housing. The city council is committed to safeguarding its tenants, other residents and staff from nuisance, violence and harassment.

The city council may determine that an applicant does not qualify to join the Housing Register where:-

- It considers, in all the circumstances at the time the application is made, that the previous or current behaviour of an applicant or a member of their household is so serious and unacceptable that the applicant, by reason of the behaviour is unsuitable to be a tenant.

A test of 'suitability' will be applied to every application for accommodation, to assess whether an applicant is qualified to be placed on the Housing Register:

1. Has the applicant or a member of their household at any time behaved in a serious and unacceptable manner, whereby the Council considers that such behaviour is enough to make them unsuitable to be a tenant?
2. At the time of the application, does the Council consider in all the circumstances at that time, that the applicant by reason of their behaviour or the behaviour of a member of their household would still be unsuitable to be a tenant?
3. Was the behaviour serious enough that it would have entitled:
 - a landlord to commence legal proceedings for possession of his/her property and/or,
 - to take action using one of the tools/powers under the Anti-Social Behaviour, Crime and Policing Act 2014
4. Did the behaviour pose a significant risk to the community?

In applying the above test, the present circumstances of the applicant will be considered; that is relevant circumstances such as health, dependents or other factors such as the behaviour of a member of the applicant's household who had since left the household, therefore the decision that an applicant does not qualify would not be justified.

In applying the above test, all relevant and present circumstances of the applicant will be considered.

¹⁰ Section 160 ZA Housing Act 1996

The following instances (below) are examples which the council considers could constitute serious and unacceptable behaviour and thus mean that an applicant does not qualify to be placed on the Housing Register:-

- Where the applicant has significant (four weeks rent or more) current or former rent arrears and/or outstanding re-charge and compensation payments, unless there are exceptional circumstances and the Council is satisfied that they are keeping to an arrangement made with the landlord to clear the debt.
- Where there is evidence that the applicant or a member of their household has committed serious anti-social behaviour, including (but not limited to) harassment, racial harassment, violence, are the subject of an ASBO, injunction, a Community Protection Notice, a Criminal Behaviour Order, a Closure Order or other legal proceedings due to breach of tenancy conditions or anti-social behaviour.
- Where the applicant has been evicted from a property due to a breach of tenancy conditions.
- Where the applicant or a member of their household has been convicted of a serious criminal offence and where in the reasonable opinion of the Council, at the time of the application, it considers by reason of the conviction the applicant (and/or a member of their household) may still pose a threat to other residents in the community (for example, violent crimes, arson or sexually related crimes).
- Where the applicant or a member of their household has been convicted of using a property or allowing it to be used for immoral or illegal purposes such as drug dealing.
- Where the applicant or a member of their household has been abusive or used threatening behaviour towards members of staff at the Council and/or other agencies;
- Where the applicant or a member of their household has abandoned a previous tenancy
- Where the applicant has provided false information or omitted to provide information on an application form for housing accommodation and which action/omission caused a property to be granted in circumstances whereby had the provision or omission not taken place then the property would not have been awarded to the applicant.

The city council will consider each case individually based on an assessment of all circumstances including the level of risk posed to the property, staff and the local neighbourhood. Consideration of previous convictions is subject to the rehabilitation of Offenders Act 1974 and the requirements therein.

Where previous unacceptable behaviour applies applicants must be able to demonstrate that they are no longer deemed as unsuitable tenants. Applicants can re-apply when they believe this is the case and the Council will consider a new application.

7.5 Community Contribution

Applicants may be offered increased priority on the waiting list if they are assessed as meeting the criteria for qualification and the main applicant (or one person on a joint application) is able to demonstrate that they meet one or more of the following criteria:

- Are currently employed in North Staffordshire and living in the city (full time, part time working 12 or more hours a week or self-employed) and have been in regular employment for 6 months or more; and/or,
- Have volunteered for an approved organisation¹¹ within the city for a minimum of 6 hours a month for 6 months prior to the application being made, and continue to do so at the point of an offer of accommodation being made; and/or,
- Are, or have been within the last five years, a serving member of the regular or reserve Armed Forces;
- Have been bereaved in the last 5 years as a result of the death of a partner/spouse in active service with the Armed Forces;
- Provide or receive care
- Are approved foster carers living in the city.
- Are aged 55 or over applying for older People's accommodation

In addition to the above the applicants must not have any rent arrears or confirmed breaches of tenancy.

Applicants will be asked to provide proof that they meet these criteria either through provision of bank statements, pay slips or a letter from employer, trainer or volunteer manager. Assessment will be undertaken at the point of registration, if a review is requested by the applicant and at the point an offer is being considered.

¹¹ Approved organisations include registered charities based in the city, the City Council, Primary Care Trusts, Schools, Fire Service and the Police. This list is not exhaustive and all voluntary activity should be disclosed to inform the decision about community contribution.

7.6 The Banding Scheme (More detailed examples of the criteria outlined below are provided in Appendix 2.)

Band 1 – Urgent Need
<ul style="list-style-type: none"> Urgent Medical Need
<ul style="list-style-type: none"> Severe Overcrowding – deficient by three or more bedrooms
<ul style="list-style-type: none"> Homeless- owed or considered to be owed a homeless duty under section 190 (2) or section 193 (2) of the 1996 Housing Act.
<ul style="list-style-type: none"> Social and Welfare – Exceptional Need
<ul style="list-style-type: none"> Health and Safety grounds – Exceptional Need
<ul style="list-style-type: none"> Armed Forces personnel and/or their spouses, with an urgent level of housing need
<ul style="list-style-type: none"> 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 others, for example people such as foster carers who give care and people who need to move in order to receive care.
Band 2 – High Need
All applicants who meet one or more of the following:
<ul style="list-style-type: none"> Overcrowding – deficient by two bedrooms
<ul style="list-style-type: none"> Ready to move on from Supported Housing or Approved Premises (including those leaving the care of Stoke-on-Trent City Council)
<ul style="list-style-type: none"> Homeless and owed or considered to be owed a prevention duty under section 195 or section 189 (b) of the 1996 Housing Act as amended by the Homeless Reduction Act 2017.
<ul style="list-style-type: none"> Medical Grounds – given a high priority for medical assessment
<ul style="list-style-type: none"> Armed Forces Personnel and/or their spouses, with a high level of housing need
<ul style="list-style-type: none"> Council tenants who are under-occupying by two or more bedrooms
<ul style="list-style-type: none"> Council tenants adversely affected by welfare reform who need to move to a lower rent property.
<ul style="list-style-type: none"> Health and Safety
<ul style="list-style-type: none"> Discretionary Cases
<ul style="list-style-type: none"> Other homeless categories and vulnerable and /or street homeless or at risk of street homelessness.
Band 3 – Low Need with Community Contribution
All applicants in this band will meet the criteria outlined for community contribution and one or more of the following:
<ul style="list-style-type: none"> Other homeless categories
<ul style="list-style-type: none"> Welfare Grounds
<ul style="list-style-type: none"> Hardship
<ul style="list-style-type: none"> Medical Grounds – given a medium priority for medical assessment
<ul style="list-style-type: none"> Armed Forces Personnel and/or their spouses, with a housing need
<ul style="list-style-type: none"> Council tenants who are under-occupying by one bedroom
<ul style="list-style-type: none"> Households interested in Retirement Properties with no other housing need
<ul style="list-style-type: none"> Overcrowding – deficient by one bedroom
Band 4 – Low Need
All applicants who do not meet the community contribution criteria but who meet one or more of the following:
<ul style="list-style-type: none"> Other homeless categories

• Welfare Grounds
• Hardship
• Medical Grounds – given a medium priority for medical assessment
• Council tenants who are under-occupying by one bedroom
• Households interested in Retirement Properties with no other housing need
• Overcrowding – deficient by one bedroom

7.7 Changes in Circumstances

Applicants can have their application reassessed at any time if their circumstances have changed. Applicants are obliged to notify the city council immediately if any of their circumstances change, particularly those which will affect their application, including:

- Change of address for themselves or any other person on the application.
- Any additional family members they want added to the application.
- Any member of the household who no longer requires accommodation.
- Changes which affect the assessment for community contribution.
- Changes in income which affect affordability.

It is a criminal offence to provide false information, or withhold information on an application for housing. Failure to notify the city council of material changes may result in offers of accommodation being withdrawn, the application being removed from the Housing Register or court proceedings undertaken to reclaim a property¹² if it has been let based on false information. If an application is removed from the Housing Register due to the provision of false information no further applications will be accepted from all parties involved for a period of 12 months, unless as a result of homelessness investigations.

If there is evidence to suggest that the applicant is involved in criminal activity and / or fraudulently claiming welfare benefits, this information will normally be disclosed to the relevant agency.

7.7 Allocating Homes

When a property becomes available for letting all applicants¹³ on the Housing Register who are suitable for that property type and have expressed an interest in the area will be identified. Thereafter, the applicant in the highest band will be offered the accommodation. In cases where one or more applicant is in the same band the allocation will be based on the time the applicant has been waiting in that band.

Before making an offer the city council will undertake a review of the requirements for the applicant and ensure that they have information about the local area to ensure that the offer is reasonable in the context of Intelligent Lettings (see Section 7.8.1).

The number of bedrooms the applicant and his/her household is eligible for will be determined in accordance with the Bedroom Standard (Section 7.10).

¹² Ground 5 in Schedule 2 of the Housing Act 1985 (as amended by the 1996 Act, section 146).

¹³ Applicant in this context means those who are deemed as being eligible and qualifying for assistance. To be eligible at this stage an applicant must not be within a class of persons set out within section 7.3. To qualify for assistance the applicant must meet all of the criteria set out within section 7.4 of this policy.

7.8.1 Intelligent Lets

The city council aims to make all allocations ‘intelligently’. This means that consideration of the needs of the applicant, the specific attributes of the property and the broader needs of the wider community will be made when considering each allocation to ensure that the tenancy is sustainable.

In considering an allocation the city council will have regard to:

- Access issues (for example number of steps to the property).
- Any history of anti-social behaviour or hate crime of the applicant or in the local area.
- Vulnerability of the applicant and other residents in the local area.
- Access to shops, support networks (formal or informal) and work/training.
- Access to childcare and schools.
- Situation of the property (for example is the property sited on a steep hill).
- Any other management issue affecting the immediate area.

7.8.2 Refusals

For applicants who have been awarded the main homeless duty¹⁴ and placed into Band 1, one reasonable offer of accommodation will be made. If this offer is considered reasonable and then refused the applicant will have their homelessness priority withdrawn and the application will be re-assessed. The applicant has the right to request a review of offers which will be referred to a service manager, as delegated by the appropriate service director for a final decision.

A reasonable offer of accommodation is one which is, as far as is possible, in an area which the applicant has chosen and matches the size and type of property the household require. Factors to be considered will include family make-up, age, medical grounds and eligibility for a house. Reasonable offers will include nominations to other social housing providers and offers through the private sector bond scheme.

In instances where an applicant refuses a property they will be required to provide their reasons. If the city council deems that the offer was not reasonable in light of the reasons provided the offer will be withdrawn and a further offer will be made. If the offer is deemed to be reasonable it will be noted on the application. All applicants who are not owed the main homelessness duty will receive no more than two reasonable offers. If both offers are refused the application for housing will be removed from the Housing Register for a period of 12 months. Further applications will not be accepted except where a subsequent homeless investigation finds the applicant (s) is/are to be homeless and in priority need in accordance with the definition set out in the Housing Act 1996 (Part 7).

If an applicant requires major adaptations to a property in order to meet their needs they will not be eligible for further offers of accommodation once a suitable property has been offered and accepted, and works on the adaptations commenced, even if the applicant later refuses the property, unless there are exceptional circumstances meaning that the refusal is reasonable. Applicants who refuse a property after major adaptations have been completed will be removed from the Housing Register, unless as a result of homelessness investigations.

Applicants who are removed from the Housing Register because of refusals have the right to request a review which will be undertaken by a service manager delegated by the appropriate service director.

7.9 Discretionary Lets

In some exceptional circumstances the city council may wish to allocate accommodation outside of the established criteria and this is permitted under the Allocations Policy. Such allocations are known as 'Discretionary Lets'. In these cases the details of the exceptional circumstances will be presented to a senior manager delegated by the appropriate service director who will determine whether or not the individual circumstances justify the letting of the property. Discretionary Lets will account for no more than 10% of allocations each year.

¹⁴ Owed under section 193 of the Housing Act

7.10 Local Lettings Plans

Local Lettings Plans can help build communities and balance differences in lifestyles between existing and new tenants.

The council may propose a Local Lettings Plan where clear evidence shows, for example:

- That there is a high risk of a local community becoming unstable
- Where all other housing management tools to deal with unsettled communities or significant antisocial behaviour have been tried and failed
- In a new or redeveloped area, where a more targeted approach to lettings is required to support the success of new tenancies.
- It can apply to a single block, estate, neighbourhood or other clearly defined area,
- A Local Lettings Plan can apply to a group of persons of a particular description.

Local Lettings Plans will:

- Be open, transparent, clear, fair and flexible
- Reduce the risk of legal challenge
- Increase customer choice and reduce empty homes
- Enable a local management approach
- Contribute to thriving communities
- Reassure existing residents

7.10.1 Features of Local Lettings Plans

Local Lettings plans will provide a way of dealing with issues of unsettled communities or significant antisocial behaviour when all other methods have been tried. They will be time limited and reviewed in a timely manner.

7.10.2 Establishing a Local Lettings Plan

Housing staff who manage a particular area may propose a local lettings plan or the proposal can come from concerned individuals or groups. It must be approved by senior Council managers. Councillors will be kept updated about the plans.

Detailed information about Local Lettings Plan and the Local Lettings Framework is in Appendix Three of this policy.

7.11 The Bedroom Standard

The bedroom standard sets out the size of accommodation households will be eligible for. The priority in establishing this standard is to ensure that households are offered accommodation which they can afford and which meets their needs. The standard is aligned to eligibility for welfare benefits and will be reviewed regularly to ensure that changes to the welfare system are appropriately reflected.

Families with dependent children aged 19 and under will be prioritised for houses, (exceptional circumstances will apply). In order to qualify for priority the applicant's child(ren) or applicant's partner's child(ren) must live with the applicant all the time or, for dependent children, the applicant must be their principal carer.

Household Type	Number of Bedrooms
Single person or couple aged over 60	One bedroom (Two bedrooms in cases of medical need may be considered).
Single person aged under 60	One bedroom
Couple – both aged under 60	One bedroom
Pregnant woman ¹⁵ (with or without partner)	Two bedrooms
Families with one child under 18	Two bedrooms
Families with two children of the same sex where both children are aged under 16 years	Two bedrooms
Families with two children (aged under 16) of the opposite sex where the older child is over 10 years	Three bedrooms
Families with two children of the same sex where the eldest child is over 16	Three bedrooms

The bedroom standard is based on children under 10 sharing a bedroom regardless of gender and children aged between 10 and 16 sharing a room if they are of the same gender. Other adults or couples in the household will be eligible for another bedroom. The requirement for additional bedrooms will be assessed based on these principles.

An additional bedroom for a carer will only be allocated where it is necessary for the carer to provide 24 hour care and this cannot be reasonably provided from another location.

Bedrooms for children will normally only be allocated for children where the applicant is the primary carer. Flexibility around the bedroom standard will be applied to households which include an approved foster carer based on information provided by Children and Young People's Services.

The city council may decide to deviate from the bedroom standard if the applicant has shown they have the ability to pay for an additional bedroom which is not covered by Housing Benefit, has signed a declaration to confirm that they understand the implications of accepting an additional bedroom and agrees to pay any rent not covered by Housing Benefit.

¹⁵ Subject to the provision of a completed MATB1 form

7.12 Low Demand Properties

There are some properties in the city which have a low level of demand from people in housing need either because of their location or property type. Properties will be considered low demand if there are no eligible households on the housing register. In these cases properties will be advertised via the Local Centre, One-Stop Shops, the Stoke-on-Line website and in any other place deemed appropriate. Properties will be allocated on a first come first served basis to households able to demonstrate that they are able to meet the weekly rent and all elements of the qualification criteria, except housing need (as set out in Section 7.4). Applicants will be required to submit an interest in a specific property which is available. In some instances, where turnover of low demand properties is high, the city council may contact applicants who had previously registered an interest for that property type and area without advertising the property. In these cases offers will be made based on the date and time the interest was registered, in line with the principle of first come, first served.

The city council may apply specific requirements to a specific property as part of the intelligent lettings approach in order to make sure that the tenancy is sustainable.

As with all other applications proofs relating to income, household details and personal identity will be required and the successful applicant will need to have satisfactory references from any relevant landlord and in regards to any criminal behaviour.

Offers of accommodation from open advertisements will be considered in line with the city council's Tenancy Policy 2017.

The specific approach to dealing with some key property types is outlined below.

7.12.1 Multi-Storey Accommodation

Allocations to multi-storey blocks will also be considered with due regard to access arrangements, age of tenants and the profile of other tenants within the flat block.

7.12.2 Houses

Allocations to houses will generally be made to families with dependent children. The applicant's child (ren) or applicant's partner's child(ren) must live with the applicant all the time or, for dependent children the applicant must be their principal carer.

For the purposes of this policy a dependent child will be any child the applicant or the applicant's partner has residing with them receive child benefit for. However, the council will consider exceptions to this; such exceptions will be considered on a case by case basis taking account of the all the circumstances of the applicant in any given case.

7.12.3 Bungalows

Generally, the allocation of bungalows in the city will primarily be focused on meeting the needs of:

- older people and
- People with a limiting disability or medical condition.

In some instances bungalows may be offered to other groups, specifically in cases where one or more of the following criteria are met:

- The applicant has specific needs which would be met by an allocation to a bungalow.
- There are no applicants aged 55 or over identified from the Housing Register as suitable for the property.

7.12.4 Adapted Homes

In the case of a property becoming available which has been previously adapted to meet the needs of a disabled tenant the city council will make every attempt to find a suitable disabled applicant to offer the property to. This will be done in conjunction with support from an occupational therapist if required.

The city council recognises that the supply of adapted properties is limited and that applicants requiring high levels of adaptations will be advised of the limitations on the choices available to them at the point of application. More detail is set out within the Aids and Adaptations Policy.

7.12.5 Housing Options for Older People

There are five different categories of older people's housing in the city. They are categorised according to the level of support and the type of facilities they offer. The different categories are:

- Age Exclusive Housing (designated for older people but there are no support services).
- Alarm only Sheltered Housing.
- Supported Sheltered Housing (with an on-site, or visiting, scheme manager).
- Retirement Village (more facilities than sheltered housing and a scheme manager).
- Extra Care Schemes/Villages with an on-site care provider for adults who require support. Some Extra Care Schemes/Villages are also referred to as Retirement Villages. Extra Care Housing has the potential to fulfil both housing and care needs.

Where applicants have expressed an interest in sheltered housing and/or a retirement village offers of accommodation will consider both housing and care needs.

Allocations to sheltered accommodation and retirement villages will focus on meeting the wider needs of the community within the scheme and therefore all allocations will be subject to the level of care needs, urgency of the required move and overall support requirements. Priority will be given to those who:

- Are aged over 55.
- Are deemed suitable for the scheme and can confirm that they have no care or support needs that are unable to be met within the scheme, or would be detrimental to the scheme itself or other tenants.
- Understand the costs of the scheme and are able to meet all costs, including service charges.

Allocations to applicants under 55 may be made to sheltered schemes if the applicant has specific needs which could be addressed within this type of accommodation and the allocation is supported by the scheme manager as suitable within the context of the wider community.

7.12.6 Allocation and Nomination to Extra Care Schemes/Villages

Where applicants have expressed an interest in extra care schemes/villages offers of accommodation will consider both housing and care needs.

In order to ensure that Extra Care Schemes remain vibrant and active communities to support an independent lifestyle the mix of residents' care and support needs must be carefully managed.

For allocation:

- Adults tend to be aged 55 or over. However, the allocations panel will consider adults younger than 55 if the applicants has specific needs which can be met within this type of accommodation.
- Adults must be deemed eligible and suitable under the Extra Care Housing Allocations policy
- Understand the costs of the scheme and are able to meet all costs, including service and support charges.

The Council can also nominate an applicant for an Extra Care Scheme managed by a Registered Provider. The nomination rights the Council has for different schemes varies. For each vacancy that the Council is able to nominate for, an allocations panel is held. At the allocations panel there is representation from the following:

- The Council's Housing Services Division
- The Council's Commissioning Team
- The Council's Social Care Team
- The on-site care provider based at the scheme
- The landlord

7.13 Renewing and updating applications

Applicants are required to ensure that the information on their application remains correct and up to date. Applicants who cannot confirm that they remain in need of accommodation will be removed from the Housing Register.

7.13.1 Removal from the Housing Register

Applicants may be removed from the Housing Register in the following circumstances:

- The applicant becomes ineligible for housing by reason of being within a class of persons set out within section 7.3 of this policy.
- The applicant fails to meet the qualification criteria as set out in section 7.4 of this policy.
- The applicant requests that their application is removed.
- The applicant is successfully rehoused.
- They lose their local connection to the area.
- They no longer have a recognised housing need.
- They buy a property which could legitimately be used as a primary residence or to address the housing need.
- The applicant is 'unsuitable' due to serious and unacceptable behaviour. (as defined in section 7.4.4).
- The applicant fails to respond to a review of their circumstances.
- The applicant has refused two reasonable offers of accommodation, in these cases the applicant may be removed for a period of up to 12 months.
- The application is found to include false information.

7.13.2 Moving Between Bands

The city council acknowledges that circumstances and needs change. It is therefore possible for applicants to move between bands. In these cases the following will apply:

- If needs increase the application will be moved into a higher band. In these cases the date of the application will be taken from the date of the move into the higher band.
- If needs decrease or priority is withdrawn, the application will be moved into a lower band. In these cases the date of application will remain as the original date that the application was accepted.

Additional priority may not be awarded if the city council considers that the applicant has deliberately worsened their housing situation in order to be moved into a higher banding. These situations may include (but are not limited to) the following circumstances:

- Taking in new household members which lead to overcrowding.
- Failure to undertake, or report, appropriate repairs which lead to the property falling into disrepair.
- Causing damage to the property which results in the property falling into disrepair.
- Applicants who deliberately sold their property which led to a worsening of their housing need.

7.14 Assignments, Successions and Transfers

In certain circumstances, a tenant may be able to pass on assign (assign) their tenancy to another person, who would qualify for statutory succession in the event of the tenant's death. This includes the qualifying person criteria for tenancies that started before or after April 2012. This assignment this will count as the statutory assignment / succession. A tenant is allowed to do this in specific circumstances only.

Successions will occur in accordance with the law (which is due to change when the Housing and Planning Act, 2016 comes into effect.) Successions are not, in the strictest sense, subject to the provisions of the Allocations Policy. In law, a succession can only happen once. Succession is restricted to civil partners/spouses and persons living together as husband and wife or as civil partners.

More information about succession and assignments is included in the council's Tenancy Policy.

After this a discretionary let to other members of the household may be offered in exceptional circumstances at the discretion of the city council to enable those household members to remain in the property. In these cases the needs of the applicant will be considered in line with the Allocations Policy, and the property must meet the needs of the applicant. All cases of discretionary lets will be considered by a service manager delegated by the appropriate service director. After the Housing and Planning Act, 2016 comes into effect all discretionary lets will be for a fixed term tenancy.

Applications to transfer will be considered in line with the Allocations Policy. If the transfer applicant has no housing need they will be encouraged to register on the HomeSwapper website for mutual exchange. Only tenants meeting the qualifying criteria for the Allocations Policy will be included on the Housing Register. Transfers are not normally offered to tenants on an introductory tenancy, however, they may be considered in exceptional circumstances.

7.15 Nominations to Registered Providers

The city council is committed to working in partnership with other social housing providers in the city to address the demand for accommodation. In some cases the city council has the right to nominate applicants from the Housing Register to other providers to fill their voids.

Nominations to other housing providers will be considered as a formal offer of housing and refusals must be based on the reasonableness of that offer and considered in line with the approach set out in Section 7.8.2.

8. Financial Implications

In order to reduce the financial cost of void properties it is essential that the Allocations Policy is robust and offers the right balance in terms of ensuring housing needs are met and accommodation is let quickly and efficiently. Failure to balance these requirements may lead to some property types being vacant for longer than necessary and the income available to the local authority reduced.

9. Consultation

The amendments made to the existing Allocations Policy in 2017 were made following a review of the Allocations Policy adopted in 2014. Feedback from Council officers and customers identified that the Housing Allocation scheme is working well overall but that there are some problems in how it operates:

- Some people in urgent need are waiting too long for accommodation
- The community contribution element may unfairly discriminate against certain groups of people
- Families with dependent children are not given priority for houses
- The Council needs to be able to consider local priorities when allocating vacant properties

The Council proposed changes to the Allocations Scheme and these changes were subsequently the subject of a full consultation process. The consultation included tenants, established groups, voluntary sector partners, other Registered Providers in the city, elected members, officers and the general public through an on-line consultation which was publicised in the local media.

Amendments were then made to the Allocations Policy taking into account feedback given during the consultation process, which was summarised in an associated Consultation Report.

The review required through the Homeless Reduction Act 2017 has been undertaken in consultation with key partners, including:

- The HRA Housing Management Board
- Registered Providers
- The Tenant Board
- The council's Homeless Forum
- All key staff

Amendments have been made to the Allocations Policy taking into account feedback given during the consultation process.

Full information on the consultation process and how this has been used to inform the final policy can be found in the associated Consultation Report.

10. Links to Other Policies

The Allocations Policy is closely aligned to, and supports, the delivery of a range of strategic plans, including:

- Tenancy Strategy 2013-2016
- Tenancy Policy 2016
- Aids and Adaptations Policy 2014-2017
- Housing Strategy 2017-2022
- Asset Management Strategy 2017 - 2022
- Homelessness Strategy 2016 – 2020
- Voids Management Policy 2013
- Gypsy and Traveller Allocations Policy 2017
- Housing Revenue Account 30 Year Business Plan 2017

11. Measuring Performance

Information on performance relating to the allocations process will be monitored by the Tenants Board and the service management team. Measures relating to the Allocations Policy includes (but is not limited to) the following measures:

- Number of applicants on the Housing Register.
- Time from property becoming vacant to let date.
- Number of properties becoming vacant

Additionally, an annual report on the operation of the scheme will be considered by the Director of Housing and Customer Services. These reports will be published.¹⁶

¹⁶ Certain information may be anonymised in terms of personal details regarding individual applicants

Key Contacts

For information on allocation of council and other social housing or to apply for council housing, please contact the Housing Solutions Service:

- Telephone: 01782 233696 (office hours only)
- Email: housing.adviceservices@stoke.gov.uk
- In person: Housing Solutions Services, One Smithfield, Leonard Coates Way, Hanley, ST1 4FA.
- Post: Civic Centre, Glebe Street, Stoke-on- Trent ST4 1HH.

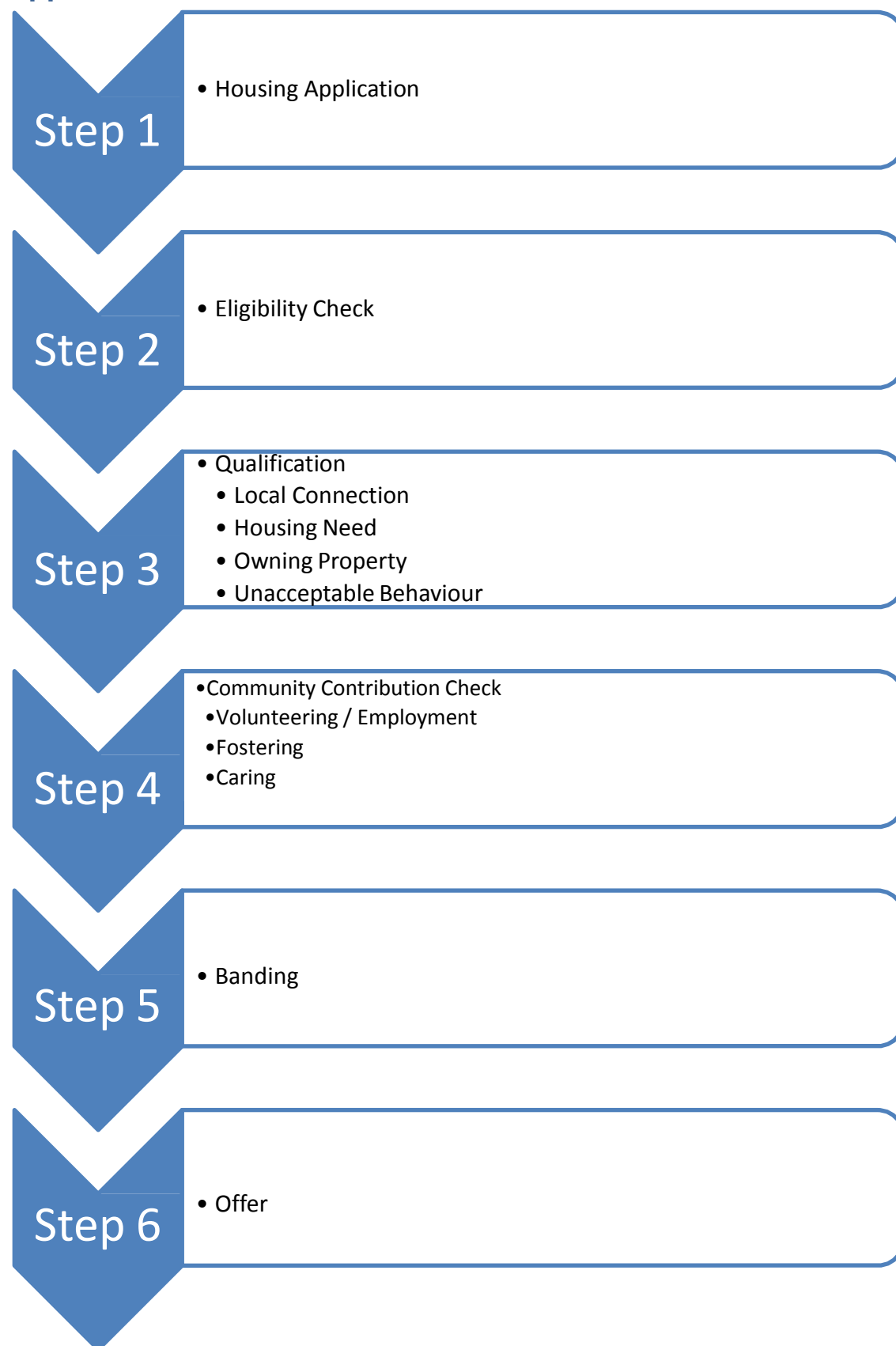
For comments in relation to this policy and its development please contact the Housing Enabling and Projects Team:

- Telephone: 01782 233330 (office hours only)
- Email: housing.strategy@stoke.gov.uk
- Post: Housing Enabling and Projects Team, Floor 2, Civic Centre, Glebe Street, Stoke-on- Trent ST4 1HH.

For further information on how to influence policy development, please contact the Tenant Involvement and Home Ownership Team:

- Telephone: 01782 237870 (office hours only)
- Email: righttobuy@stoke.gov.uk
- Post: Tenant Involvement and Home Ownership Team, Civic Centre, Glebe Street, Stoke-on- Trent ST4 1HH.

Appendix 1 – Outline Assessment and Allocations Process



Appendix 2 - Definitions

Band	Criteria	Features
1	Urgent Medical Need	<ul style="list-style-type: none"> Emergency medical need will be granted only in exceptional circumstances where the applicant or a member of the applicant's household has a life threatening condition which is seriously affected by their current housing. The applicant or a member of the applicant's household is unable to be discharged for hospital as a result of unsuitable housing. Includes all medical conditions, physical disabilities, learning disabilities and mental health conditions.
1	Severe Overcrowding – deficient by three or more bedrooms	<ul style="list-style-type: none"> Three or more bedrooms deficient based on statutory guidance. Priority may also be given to anyone aged over 21 currently living in over-crowded accommodation who could live independently and where the move would mean that the rest of the household was no longer overcrowded.
1	Homeless	<ul style="list-style-type: none"> People who are owed a duty by the city council under section 190(2) or 193(2) of the Housing Act 1996.
1	Social and Welfare – Exceptional Need	<ul style="list-style-type: none"> Any child who needs to be accommodated under a child protection or corporate parenting provision. Applicants who need to move due to violence or harassment which is verified by the Police and/or other partner agencies. This may include a move which is necessary to protect a witness to criminal acts. Releasing an adapted property which would enable best use of the property and an applicant has been identified as suitable for that property.

1 Health and Safety grounds – Exceptional
Need

- Council tenant moving temporarily whilst major works are undertaken or their home is due to be demolished where remaining in the property while works are underway would be considered unreasonable on medical grounds, age, due to shift work or because of the size of the household.

Band	Criteria	Features
		<ul style="list-style-type: none"> • Private sector tenants where the property they occupy has been served with an emergency Prohibition Order or Demolition Order by Housing Standards under the Housing Act 1985 or Housing Act 2004. • A council tenant who needs to move as a result of the city council deciding to demolish their home. • People living in properties classed as uninhabitable due to insanitary conditions which mean the property is unfit for human habitation.
1	Armed Forces personnel, and/or their spouses, with an urgent level of housing need	<p>Includes:</p> <ul style="list-style-type: none"> • Former Members of the Armed Forces • Serving members of the Armed Forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service • Bereaved spouses or civil partner of members of the Armed Forces leaving Services Family Accommodation following the death or their spouse or partner • Serving or former members of the Reserve Forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service. • Former members of the Armed Forces are considered as those who have served in the Armed Forces within 5 years of their application date • The Armed Forces include the Royal Navy, the Royal Marines, the regular army or the Royal Air Force, the Royal Fleet Reserve, the Territorial Army, the Royal Naval Reserve, the Army Reserve, the Royal Air Force Reserve or the Royal Auxiliary Air Force.

1	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 others	<ul style="list-style-type: none"> • Social tenants from other local Authority areas in England who need to move to Stoke-on-Trent for work based on statutory guidance. • Priority will not be awarded to applicants working on temporary contracts for less than 12 months, applicants undertaking ancillary work in Stoke-on-Trent where the main base for employment is elsewhere, applicants undertaking job related training and applicants carrying out voluntary work. • Applicants moving to take up an offer of work must demonstrate a genuine intention to take up the offer of employment. • Applicants who need to move in order to give or receive care.
Band	Criteria	Features
2	Overcrowding – deficient by two bedrooms	<ul style="list-style-type: none"> • Two bedroom deficient based on statutory guidance • Priority may also be given to anyone aged over 21 currently living in over-crowded accommodation who could live independently and where the move would mean that the rest of the household was no longer overcrowded.
2	Ready to move on from supported housing or approved premises (including leaving care)	<ul style="list-style-type: none"> • Ready to move on from Supporting People funded services, residential care services or approved premises. • Support package is in place to facilitate the move. • The move to independent living is approved by the case worker.

		<ul style="list-style-type: none"> • Young people leaving the care Stoke-on-Trent City Council.
2	Medical Grounds – with a high priority	<ul style="list-style-type: none"> • Includes all medical conditions, physical disabilities, learning disabilities and mental health conditions.
2	Council tenants who are under-occupying by two or more bedrooms	<ul style="list-style-type: none"> • Households currently in council accommodation who are under-occupying by two or more bedrooms based on the bedroom standard
2	Health and Safety	<ul style="list-style-type: none"> • Households referred by Housing Standards who are living in accommodation which exhibits a Category 1 hazard under the Housing Health and Safety Rating System which cannot be addressed within 6 months.
2	Discretionary Cases	<ul style="list-style-type: none"> • All discretionary cases accepted onto the Housing Register.
2	Homeless Cases	<ul style="list-style-type: none"> • People owed a homeless duty under section 195 (2) or 189 (b) of the Housing Act 1996 as amended by the Homeless Reduction Act 2017.

2 Housing Needs – Prevention Cases

- All cases which have been referred by a support agency where a move will help to reduce the risks of increasing support needs and there is a reasonable likelihood that the household can be moved.
- Council tenants adversely affected by welfare reform who need to move to a lower rent property.
- Tenants who have been issued with a warrant for possession as a result of rent arrears associated with welfare reforms, where there is demonstrable evidence that all attempts to pay the rent have been made.
- Additional priority within the category will be time limited to a maximum of three months after which the needs will be reviewed by a service manager from within the city council.

2 Armed Forces personnel, and/or their spouses, with a high level of housing need

Includes:

- Former Members of the Armed Forces
- Service members of the Armed Forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service
- Bereaved spouses or civil partner of members of the Armed Forces leaving Services Family Accommodation following the death of their spouse or partner
- Serving or former members of the Reserve Forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service.
- Former members of the Armed Forces are considered as those who have served in the Armed Forces within 5 years of their application date
- The Armed Forces include the Royal Navy, the Royal Marines, the regular army or the Royal Air Force, the Royal Fleet Reserve, the Territorial Army, the Royal Naval Reserve, the Army Reserve, the Royal Air Force Reserve or the Royal Auxiliary Air Force.

Band	Criteria	Features
3 & 4	Homeless	<ul style="list-style-type: none"> • Homeless investigations are taking place but have not been concluded • Non priority homeless • Homeless intentionally and non priority
3 & 4	Welfare Grounds	<ul style="list-style-type: none"> • Those who need to move to access social services facilities and are unable to travel across the city. • The applicant or someone in the household is studying at a special needs school in the area. • Those who need to move to give or receive care that is substantial and on-going.
3 & 4	Hardship	<ul style="list-style-type: none"> • Those who are experiencing financial hardship as a result of changing circumstances beyond their control. • Those who are not already social tenants in England who need to move to take up (or continue) employment, education or training that is not available elsewhere and who do not live within reasonable commuting distance.
3 & 4	Medical grounds – with a medium priority	<ul style="list-style-type: none"> • Includes all medical conditions, physical disabilities, learning disabilities and mental health conditions.

<p>3</p>	<p>Armed Forces Personnel and/or their spouses, with a housing need</p>	<ul style="list-style-type: none"> • Includes: • Former Members of the Armed Forces • Service members of the Armed Forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service • Bereaved spouses or civil partner of members of the Armed Forces leaving Services Family Accommodation following the death of their spouse or partner • Serving or former members of the Reserve Forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service. • Former members of the Armed Forces are considered as those who have served in the Armed Forces within 5 years of their application date • The Armed Forces include the Royal Navy, the Royal Marines, the regular army or the Royal Air Force, the Royal Fleet Reserve, the Territorial Army, the Royal Naval Reserve, the Army Reserve, the Royal Air Force Reserve or the Royal Auxiliary Air Force.
<p>3 & 4</p>	<p>Council tenants who are under-occupying by one bedroom</p>	<ul style="list-style-type: none"> • Households currently in council accommodation who are under-occupying by one bedroom based on the bedroom standard
<p>3</p>	<p>Households interested in Retirement Properties with no other housing need</p>	<ul style="list-style-type: none"> • All applicants aged 55 or over who have expressed an interest in sheltered accommodation, Extra Care housing or Retirement Village
<p>3 & 4</p>	<p>Overcrowding – deficient by one bedroom</p>	<ul style="list-style-type: none"> • One bedroom deficient based on statutory guidance • Priority may also be given to anyone aged over 21 currently living in over-crowded accommodation who could live independently and where the move would mean that the rest of the household was no longer overcrowded.

Appendix Three: The Local Lettings Framework

Section 166A(6)(b) of the 1996 Act enables the council to allocate particular accommodation to people of a particular description, whether or not they fall within the reasonable preference categories, provided that overall the council is able to demonstrate compliance with the requirements of securing reasonable preference for certain statutory groups. This is the basis for a 'local lettings frameworks and plans' which may be used to achieve a wide variety of housing management and policy objectives.

The Local Lettings framework is intended to facilitate the council's ability to promote successful and sustainable communities and, in some instances, where necessary, to secure stable accommodation for particular groups of individuals.

The framework is an agreed method that provides consistency, flexibility, transparency in decision making and a review process. It is the process that is used to develop and implement a Local Lettings plan.

Local Lettings Plans

Local Lettings Plans can be made available as a solution in certain circumstances. They will have the following features:

- Generally, be available when all other housing management tools to deal with issues of unsettled communities or significant anti-social behaviour have been tried.
- Provide a proactive and/or reactive tool to enhance and support existing housing management processes.
- Provide a flexible, tailored additional housing management tool to address social and management problems in a defined area or in respect of a defined group of persons of a particular description¹⁷.
- Be robust enough for officers to administer and evidence, but flexible enough to adjust to need.
- Provide a plan that enables the Council to influence the types of groups of people who are allocated new tenancies in particular areas; to bring about a wider social mix with the aim of having more integrated communities.
- Lettings Plans can help build communities and balance differences in lifestyles between existing and new tenants.

Generally, local Lettings plans will be time limited and reviewed in a timely manner.¹⁸

The council may propose a Local Lettings Plan where clear evidence shows, for example:

- that there is a high risk of a local community becoming unstable

¹⁷ Section 166A(SS) 6(a) of the Housing Act 1996

¹⁸ Exceptions may include when properties are let to a particular group of persons

- where all other housing management tools to deal with unsettled communities or significant antisocial behaviour have been tried and failed
- In a new or redeveloped area, where a more targeted approach to lettings is required to support the success of new tenancies.
- It can apply to a single block, estate, neighbourhood or other clearly defined area.
- Where there is a particular need for a particular group to be provided with certain housing accommodation.

Local Lettings Plans will:

- Be open, transparent, clear, fair and flexible
- Reduce the risk of legal challenge
- Increase customer choice and reduce empty homes
- Enable a local management approach
- Contribute to thriving communities
- Reassure existing residents

The Approach

When the need for a Local Lettings Plan is identified a report using the framework factors is produced by the housing officer.

Each Local Lettings Plan will include:

- Key aims and objectives of the Local Lettings Plan
- Key elements of the Local Lettings Plan proposals
- Timescale for implementing the plan and for the review period following implementation
- Details of the area/properties included in the Local Lettings Plan
- Details of how allocation/shortlisting of properties will be managed.
- Resources required to implement the plan (including IT requirements, staff costs, other costs):
- An Equality Impact Assessment.
- Evidence of any consultation on the proposal and a report of the responses
- Risks of implementing the plan and measures to reduce the risk.
- How the success of the plan be measured.

A template Local Lettings Plan and checklist will be available to ensure clarity and consistency of information and approach.

Existing tools such as an Anti- Social Behaviour (ASB) Policy and other tools for dealing with ASB and tenancy management issues should be explored to see if the issue can be dealt with without escalating to implementing a Local Lettings Plan.

Any application to introduce a Local Lettings Plan will include evidence of both the need for a plan and details of the tenancy management tools that have previously been used to address the specific concerns.

For new/redevelopment schemes or when a proactive approach to prevent issues is needed the application will include reasons why a Local Lettings Plan is required.

Partners such as individual officers, ward councillors, the police and community representatives may be consulted on the plan and may contribute to the building of the evidence but will not be part of the decision making body.

Any decision to implement a Local Lettings Plan will always take into account the implications for the council's statutory obligations such as equality duties and the need to ensure that the council meets its statutory housing allocation duties.

Generally, Local Lettings Plans will be removed at the date of the review, unless there is clear evidence to show that such a removal would have a detrimental effect on the success and sustainability of that area or would have a detrimental effect on a group of persons of a particular description.

When will a Local Lettings Plan be needed?

Implementation of a Local Lettings Plan may be considered for new/redevelopment schemes; or areas with significant anti -social behaviour issues; or areas where there is an imbalance of tenants and there is a clear need to redress this. Each area will be considered and looked at on an individual basis to determine whether a Local Lettings Plan is appropriate and, if so, the necessary and proportionate criteria required under the Plan in order for

Local Lettings Plans may also be considered where a certain type of accommodation is required for persons of a particular description. For example, young persons living in supported accommodation/supported projects and when that accommodation is transferring back to the Council¹⁹

For anti- social behaviour issues, consideration of a Local Lettings Plan may be made when all other housing management options

¹⁹ An example is the House Project whereby young persons who have successfully formed part of and completed the project retain existing accommodation in order to maintain stability for that person.

have been utilised and where despite this, the anti- social behaviour continues to cause serious disruption and impacts on the lives of other residents. In such a scenario, there would be, for example, screening process at offer stage to determine qualification and more detailed checks would be conducted; carried out such as references and any previous record of any anti- social behaviour in the past. Detailed criteria will be determined in accordance with the needs and characteristics of the area under consideration for a Local Lettings Plan.

For new/redevelopment schemes a Local Lettings Plan may be considered prior to the first properties being allocated and will have clear criteria for allocating tenancies. For example, 10% to people in employment, 25% to people with a local connection, and 50% people with high/medium housing need.

For areas where there is an imbalance of tenants/lifestyles and a need for proactive allocations, a Local Lettings Plan will be considered in order to redress the imbalance. For example, majority not in work, all young/older people. Introducing more of a mix of residents may redress lack of cohesion.

The following triggers provide examples of when a Local Lettings Plan may be considered:-

- New build or redevelopment scheme
- Event that makes the manageable unmanageable
- Pockets of high levels of ASB.
- In areas where KNH (or other housing provider) have identified there is a high risk of communities becoming unsustainable.
- Proactive approach to allocations to achieve mixed communities.
- Low/no demand areas
- High turnover/negative departures
- Ongoing, substantiated complaints about the same issues
- Intensive management required
- Local intelligence from partner agencies
- Where a particular group of persons of a particular description require a specific type of housing

Roles and responsibilities

Housing Officers may flag up issues to Operational Leads following complaints from residents, knowledge of ongoing issues, information from partner agencies, police, ward members etc.

The Operational Lead agrees to refer to the Strategic Manager who will make the decision to request a Local Lettings Plan after

discussing with and informing the Housing Solutions Service Manager.

A Local Lettings Plan is developed which details the area/properties included, criteria for assessing shortlist, resource implications (staffing etc.), recommended timescales, risks and what impact the plan is expected to have.

Where the proposed plan affects other housing providers they will be consulted and asked to contribute to the plan. Other agencies may also provide evidence as appropriate. Advice may also be sought from Legal Services and other Council teams such as the Equalities team.

A report and Local Lettings Plan is produced detailing the issues, actions already taken, impact, supporting information from other agencies etc. Evidence from the affected residents may also be included.

A management representative from the Council's Housing Solutions Service will present the plan to the Director of Housing and Customer Services for approval.

The Director of Housing and Customer Services will consider the report and: Approve/reject the request for implementation of the Local Lettings Plan or request further information and defer a decision accordingly. The Director of Housing and Customer Services will also agree timescales and review period.

Governance

Decisions to introduce a Local Lettings Plan will be an internal, officer led process.

Local Lettings Plans will be monitored by the Voids Team within the Housing Solutions Service. They will be responsible for providing quarterly monitoring reports on Local Lettings Plans for Portfolio Holders. Information relating to current Local Lettings Plans will be made available on the Council's website.

Decisions to request a Local Lettings Plan will be made by the appropriate Housing Strategic Manager following consultation with the relevant Co-operative Working Strategic Manager.