



Working in partnership with **Eastbourne Homes**

# Eastbourne Borough Council Allocation Scheme

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## INTRODUCTION

### **The Council's Vision:**

*Lewes District Council and Eastbourne Borough Council have joined forces to deliver outstanding customer service and provide our communities with a great place to live, work and enjoy.*

### **The Council' Values:**

#### Customer Focus:

- *We care about our customers and understand their needs*
- *We support our staff to help our customers*
- *We listen to customer feedback and act on it*

#### Achievement Focus:

- *We are proud of our staff and the services we provide*
- *We deliver what we promise*
- *We set ourselves clear targets and achieve great outcomes*

This Housing Allocation Scheme sets out how people can apply for social housing in Eastbourne. It sets out who qualifies to go on the Housing Register, how priority is given to Applicants with differing housing needs, and the procedures that are to be followed when applicants are selected to be allocated accommodation by the Council.

This Allocations Scheme covers general needs housing and sheltered housing for rent. It does not cover affordable home ownership schemes, placements of homeless households in Temporary Accommodation or referrals to Extra Care, Supported Housing or other Specialist Housing which is allocated under separate agreements with relevant care and support agencies and service providers.

### **The aims of the scheme**

#### The Council aim to:

- Offer a simple, fair and transparent process
- Make sure those who have the greatest need for housing have the greatest opportunity to get it
- Offer realistic and informed choice
- Promote independence by providing support to customers to find and sustain a tenancy
- Provide places where people want to live and work by allowing people to make positive choices
- Offer equality of opportunity and create sustainable and mixed communities

## **Statement of choice**

The Council is committed to giving people greater choice in where they wish to live. Our aim, where possible, is to take account of people's views about where they wish to live and who they wish to have as a landlord.

We wish to balance the real housing needs of people who apply for housing with the need for sustainable communities.

We remain committed to a system of Choice-Based Lettings in which applicants are encouraged to search actively for a home. Vacant homes are advertised every two weeks on the internet. For those requiring it, the Council will provide access to the internet at their offices, offer assistance, or provide information in an appropriate format.

Applicants are able to express an interest, or 'bid', for suitable homes of their choice. Applicants are placed in one of three broad Priority Bands of housing need according to their housing circumstances. The successful Applicant will ordinarily be the person who bids who has the highest housing need within their banding and who has been registered the longest.

The Council reserves the right to incorporate targets for Transfers and other Applicants to ensure we make best use of social housing in the Borough to meet housing needs. Targets, if incorporated, will be set taking into account the Council's statutory obligations, financial considerations and the housing situation across the Eastbourne Borough. To achieve these targets the Council will advertise some properties to these Applicants only.

## **Direct Allocation of homes**

Some homes (e.g. extra care housing, supported housing, temporary accommodation, management transfers, decants) are allocated directly to Applicants and are not advertised through choice-based lettings.

## **Legislation**

The relevant legislation has been adhered to in preparing, modifying and operating this scheme. In addition we have had regard to the Council's Homelessness Strategy, Tenancy Policy and the Allocation of Accommodation Code of Guidance for local housing authorities in England 2012. Relevant case law and regulations have also been considered.

## **Equalities statement**

The Council is strongly committed to fairness and equal treatment for all. The aim is prevent unlawful discrimination (both indirect and direct), harassment and victimisation on the grounds of age, disability, pregnancy and maternity, race, religion or belief, sex, sexual orientation and transsexuality. More information on the

## Draft Allocations Policy

Council's legal duties and responsibilities can be found on Eastbourne Borough Council's website.

The Council's staff will work closely with all agencies to assist customers wherever possible. The Council has undertaken an Equality Impact Assessment on the changes introduced in this policy.

In order to ensure that all applicants are treated fairly, equality monitoring information is requested on the housing application form. Additionally, equality monitoring of the allocation of accommodation is undertaken.

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## **THE HOUSING REGISTER AND A SUMMARY OF THE SCHEME**

The Housing Register is a partnership between the Council and those housing associations that offer homes through the Register in the local authority area. It is a list of people and their details who want to apply for social housing in the Eastbourne Borough.

Demand for social housing in Eastbourne is high and in short supply. Applicants are encouraged to make contact with the Homes First team to discuss all housing options and to help manage expectations going forward.

Application to the Eastbourne Housing Register must be made by completing an online application form.

If an Applicant cannot access the internet, or needs any help completing the form, they should contact the Customer First Team at Eastbourne Borough Council for assistance. The team has arrangements in place for interpretation for people whose first language is not English. Applications will not be registered until the Homes First Team has received all the information that they consider is necessary to assess an application.

Vacant social housing properties are advertised through the choice based lettings service, Homemove on a two weekly cycle through an online magazine. Applicants are invited to bid for properties they would like to secure. The property will be allocated to the household with the highest priority that placed a bid. This will be based on housing needs and waiting time.

To be considered for a home an applicant must:

- Be eligible to bid on the scheme
- Qualify to bid on the scheme
- Meet any specific criteria on the advert
- Bid for the property

Once of the main aims of the policy is to offer choice to people seeking accommodation. However, the Council has a duty to meet housing need and therefore priority on the scheme will be awarded accordingly. The banding system will ensure that those in greatest housing need are awarded the highest priority for housing. In some circumstances, accommodation will be offered to existing tenants to release a social home for someone else in housing need.

If an applicant is eligible and qualifies for the scheme, they will be placed in either Band A, B or C. Band A represents the greatest need and Band B and C thereafter. Applicants in the same band will be prioritised by the greatest waiting time.

Further detail on how to bid, adverts and banding is included in later parts of the policy.



## **WHO IS ELIGIBLE TO JOIN THE HOUSING REGISTER?**

Any Applicant aged 18 or over who has a housing need may apply to join the register.

Applicants under the age of 18 may apply to join the register if they:

- are aged 16 or over **and**
- are homeless and have been accepted for re-housing by the Council
- **or** have been in the Care of Social Services or otherwise considered to be vulnerable and will be receiving ongoing support

Who can be included on the application?

- Anyone who is part of the Applicant's household and residing with the Applicant
- Anyone who normally resides with the Applicant or who it would be reasonable to expect to live with the Applicant
- Children can normally only be included if they normally live with the Applicant and the Applicant can demonstrate that they have responsibility for them. Decisions are informed by a number of factors including receipt of Housing Benefit, Child Benefit, family court orders and other legal agreements.

### **Becoming homeless or threatened with homelessness**

If Applicants become homeless or threatened with homelessness, they should contact the Council and make an appointment to see the Homes First Team at the earliest opportunity to discuss their housing options. The Homes First Team will assess whether the Council has legal responsibilities towards an Applicant and to advise and assist as appropriate.

## **WHO IS NOT ELIGIBLE TO JOIN THE HOUSING REGISTER?**

Housing law sets out those categories of applicant who are 'not eligible' and may not join the register. The categories are as follows:

- Persons subject to immigration control who are ineligible for assistance
- Other persons from abroad who are ineligible for assistance

The Council will not register any application for a joint tenancy where one or more of the proposed tenants is 'not eligible' to join the housing register.

### **Other Applicants who do not qualify to join the Register**

The Housing Act 1996 (as amended by the Localism Act 2011) allows the Council to decide that some categories of Applicant do not qualify to join the Housing Register. The Council have decided that the following categories of applicant do not qualify:

- a) Applicants without a Local Connection to the Eastbourne Borough
- b) Applicants who are registered on another Local Authority's Housing Register
- c) With some exceptions (see below), Applicants with over £32,000 of savings or assets, including the savings and assets of all household members included in the application, and/or who own accommodation or have a legal interest in homeownership, or who have the financial resources to meet their housing needs in the private market.
- d) Applicants whose anti-social behaviour (ASB) is serious enough to make them unsuitable to be a tenant
- e) Applicants who have been registered for at least 12 months who have not 'bid' for suitable homes in the preceding 12 months, providing a suitable home has been advertised. It is considered that Applicants who are not regularly bidding for homes are unlikely to be in sufficient housing need to qualify.
- f) Former social housing tenants who have been evicted for ASB, rent arrears and other breaches of tenancy.
- g) An Applicant, or a member of their household, that has a current (unspent) conviction for drug dealing.
- h) Applicants in Band A with an Emergency or Urgent housing need who have refused a suitable offer.
- i) Applicants who have refused two offers of social housing within one year, which are assessed as suitable offers, will be suspended from bidding for a period of six months. The Homes First Team will, at its discretion, make exceptions to this where it considers that there is a reasonable explanation for the Applicant's inactivity. Sensitivity will be applied, for example, where Applicant is identified as being particularly vulnerable or in need of a specific type of property which does not commonly become available to let. Applicants who are disqualified due to their inactivity may make a fresh application by completing a fresh application form after six months. However, their earlier Priority Date will not be retained.
- j) Applicants who do not have a housing need.
- k) Other Applicants who the Head of Homes First, in exceptional circumstances, has taken the decision to disqualify.
- l) Introductory tenants will not be permitted to apply unless there are overriding management reasons which have been agreed by the Head of Homes First.

### **Home ownership, financial resources and exceptions**

This section provides more detail on b) above.

Applicants who own or part own accommodation or who have a legal interest in home ownership (for example through marriage or civil partnership in accommodation owned by their spouse or civil partner) do not qualify to join the Housing Register.

However, if as a result of legal proceedings a Court has ordered that the Applicant may not reside in the former matrimonial or civil partnership home in which they still have a legal interest for a period which is likely to

exceed 5 years, then the Applicant will be treated as if they do not own or part own accommodation.

Applicants who are considered to have sufficient financial resources to buy suitable accommodation in the Eastbourne Borough also do not qualify. A sufficient financial resource means sufficient capital to buy; or sufficient income to raise a mortgage to buy; or a combination of both. 'Sufficient capital' includes any assets or investments, even if they are not immediately available to the Applicant, such as any residential or non-residential property that they own or part own anywhere in the world.

Applicants with over £32,000 of savings or assets do not qualify. However, any lump sum received by a member of the Armed Forces as compensation for an injury or disability on active service is disregarded.

### **Exceptions**

Applicants who do not qualify under the home ownership and financial criteria set out above may be considered as an exception by the Homes First Team, subject to the approval of the Head of Homes First, if:

- they are over state pension age or have a substantial disability; **and**
- their current home is not suitable for their specific needs; **and**
- they have insufficient financial resources to secure accommodation that meets their particular housing needs in the private market in the Eastbourne Borough.

### **Applicants whose anti-social behaviour is serious enough to make them unsuitable to be a tenant who do not qualify**

Where the Council is satisfied that the Applicant (or a member of their household) is guilty of unacceptable behaviour serious enough to make them unsuitable to be a tenant of the Council the Applicant does not qualify.

Behaviour which can be regarded as unacceptable for these purposes includes behaviour by the Applicant or by a member of their household that would – if the Applicant had been a Council tenant at the time – have entitled the Council to a possession order under certain Grounds contained in the Housing Act 1985.

It also includes behaviour which has led to a Closure Order or a Civil Injunction against the Applicant or a member of their household under the Anti-social Behaviour, Crime and Policing Act 2014.

There is no need for the Applicant to have actually been a Council tenant when the unacceptable behaviour occurred. The test is whether the behaviour would have entitled the Council to a possession order if, whether actually or notionally, the Applicant had been a secure tenant.

If an Applicant considers their unacceptable behaviour should no longer be held against them as a result of changed circumstances, they can make a fresh application. Unless there has been a considerable lapse of time it will be for the Applicant to show that their circumstances or behaviour have changed. Each case will be considered on its own merits.

### **LOCAL CONNECTION**

To establish a 'Local Connection' with the Eastbourne Borough an Applicant or joint Applicant must (with certain exceptions as set out below) meet at least one of the following criteria:-

- a) Reside in the Eastbourne Borough as their only or principal home and have done so for the previous 2 years; or
- b) Have resided in the Eastbourne Borough as their only or principal home for a period of at least 3 years in aggregate out of the previous 5 years; or
- c) Be in permanent employment in the Eastbourne Borough and have been for the previous 2 years; or
- d) Have close relatives who reside in the Eastbourne Borough as their only or principal home and have done so for at least the previous 5 years.

Close relatives will normally only cover parents, adult children or siblings. Consideration may be given to other relatives, if there is evidence that they provide a substantial supporting role to the applicant. Professional evidence of the required support must be provided.

Certain groups are **exempt** from these Local Connection criteria:

### **Armed Forces Personnel**

Armed Forces Personnel do not need to meet the Local Connection criteria set out at above to qualify if they are an Applicant who:

- (a) a member of the Armed Forces and former Service personnel, where the application is made within five years of discharge or
- (b) a bereaved spouse or civil partner of members of the Armed Forces leaving Services Family Accommodation following the death of their spouse or partner or
- (c) a serving or former member of the Reserve Forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service.

For this purpose “the regular forces” and “the reserve forces” have meanings given in section 374 of the Armed Forces Act 2006(b).

### **Homeless Applicants**

Homeless Applicants who are owed a full housing duty under the homelessness legislation by Eastbourne Borough Council do not need to meet the Local Connection criteria set out at above.

### **Existing Social Housing Tenants**

Existing Social Housing Tenants of Eastbourne Borough Council or a Registered Provider living within the Eastbourne Borough are exempt from the Local Connection qualifying criteria.

Existing Social Housing Tenants within England who have lived in social housing for at least two years, needing to move for work related reasons where failure to do so would cause hardship, are also exempt.

With certain exceptions, existing tenants of a housing association that provides its tenants living inside or outside the Eastbourne Borough with an alternative means to transfer to a tenancy within its housing stock in the Eastbourne Borough Area, by retaining a proportion of its lettings to facilitate this or by limiting the Councils' nomination rights to a proportion of its vacancies, do not qualify.

### **People who have a need to move to take up an offer of work**

People who need to move for work related reasons as defined by the Allocation of Housing (qualification criteria for Right to Move (England) regulations 2015 do not need to meet the Local Connection criteria set out above.

### **Other exemptions from Local Connection qualifying criteria**

Other Applicants who cannot meet the Local Connection criteria set out above may be allowed to qualify, in exceptional circumstances only, at the discretion of the Homes First Team.

If an Applicant ceases to meet the Local Connection criteria they will cease to qualify.

## **THE CATEGORIES OF APPLICANT TO WHOM WE MUST GIVE REASONABLE PREFERENCE**

The law says we must give reasonable preference to the following Applicants:

- a) People who are owed a homeless duty (within the meaning of Part VII of the Housing Act 1996);
- b) People who are owed a duty by the housing authority under the following sections of the Housing Act 1996:
  - i. S.190(2) (intentionally homeless and in priority need)
  - ii. S.192(3) (non-priority need homeless who are occupying accommodation arranged by the Council);
  - iii. S.193(2) (unintentionally homeless and in priority need);
  - iv. S.195(2) (threatened with homelessness intentionally and in priority need)
- c) People occupying unsanitary or overcrowded housing or otherwise living in unsuitable housing conditions;
- d) People who need to move on medical or welfare grounds, including any grounds relating to a disability;
- e) People who need to move where failure to meet that need would cause hardship (to themselves or to others);

## **ADDITIONAL PRIORITY FOR ARMED FORCES PERSONNEL**

Bids from Armed Forces Personnel in Band A or B will be given priority over bids from other applicants in their Band when they bid on a suitable home if they are an Applicant who formerly served in the regular forces as defined in section 374 of the Armed Forces Act 2006(b).

## **HOW TO APPLY**

Application to register on the Eastbourne Housing Register must be made by completing an online application form.

Applicants will be required to provide the following information:

- Household details including names, ages, gender and relationship to applicant

- The last 5 years housing history including addresses
- The housing need – why a new home is required
- Support needs of the household
- Demographic information (for monitoring purposes)
- Financial circumstances and employment
- Financial or legal interest in another property
- Any relationship to a Council officer or Councillor at Eastbourne Borough Council

.The Customer First and Homes First Teams can help you:

- Understand all housing options available
- Complete your application
- Obtain information to verify your application
- Understand how quickly you may be able to secure accommodation
- Bid for accommodation
- Access additional support

When an application is registered, notification will be sent to the Applicant confirming the registration and which Band they have been placed in, along with information about the right to request a re-consideration.

### **Medical circumstances**

If the Applicant or a member of their household has a 'Medical Need' to be rehoused, the Medical Circumstances section of the form should be completed. Applicants will be asked to provide information about why their current home is significantly affecting their health. In some instances letters of support from their GP, Consultant and/or Occupational Therapist could be requested. Evidence should outline how a condition specifically affects an applicant's current and future housing needs.

### **Needing to move for care and support reasons**

Where the Applicant or a member of their household has a need to move for care and support reasons, the Support Needs section of the form should be completed. This should also be completed where the Applicant needs to move in order to give care and support to another person.

### **Providing False information**

All information provided must be truthful.

A person may commit a criminal offence if:

- he/she knowingly or recklessly makes a statement which is false in a material particular, or
- he/she knowingly withholds information which the authority have reasonably required him/her to give in connection with their application for housing.

A person guilty of an offence under this section is liable on summary conviction to a fine.

If it is found that false information has been given or relevant information withheld, the application will not be registered or, if already registered, the Applicant may be removed from the Housing Register.

Any tenancy granted on the basis of information subsequently found to be false or because material information has been withheld may be terminated and legal action taken by the landlord to recover possession of the home.

### **Notifying changes of circumstances**

The Applicant is responsible for notifying the Council of any relevant changes in their circumstances which will affect the assessment of their housing application.

Examples of this are:

- changes of address,
- changes in the household, such as the birth of a baby or the departure of a household member,
- the development of a relevant medical condition,
- threatened with homelessness.

This list is not exhaustive and if the Applicant is in any doubt about whether or not a change is relevant they should contact the Homes First Team to discuss the matter. Failure to do so may result in your application being removed from the register and any allocation or nomination withdrawn.

### **Data Protection**

All information provided by an Applicant and any associated documents will be held on a filing system and may be used by all of the members of Eastbourne Borough Council and Eastbourne Borough Council in carrying out their functions.

In respect of those Applicants needing a Supporting People funded service, data will also be shared with that service if the Applicant has given their permission. This information is subject to the Data Protection Act 1998 and will be treated with confidentiality and used in accordance with each Council's registration under that Act.

The Council is bound by the Data Protection Act to keep personal information safe and secure. However, Applicants should be aware that the Council is under a duty to share certain information with all other relevant authorities for the purposes of child



protection and safeguarding vulnerable adults; the prevention of crime and disorder, including anti-social behaviour; and the management of sexual and violent offenders.

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## **THE REGISTRATION AND ASSESSMENT PROCESS**

Once a completed application form is received, the Homes First Team will make an assessment of the Applicant's housing needs based on the information provided and other documentation made available to them.

A decision will be made on whether the Applicant is 'eligible' and 'qualifies' to join the register in line with this policy. If it is considered that an Applicant is not 'eligible' or does not 'qualify', the Homes First Team will notify the applicant of this decision and the grounds for it, along with information about the right to request a review.

The Homes First Team will assess any medical priority based on the information supplied by the Applicant and using the medical criteria set out below.

Once housing need has been assessed, the Applicant will be placed into one of three Priority Bands and will be given a Priority Date which will be the date they applied to go on the Register or entered a Band. Applicants will also be assessed for the appropriate size of home they can bid for using the bedroom entitlement criteria set out in this policy.

The Homes First Team will contact the Applicant to inform them of their successful registration giving them the following information:

- Their Priority Date and reference number
- Their Priority Band
- The type and size of home they can bid for
- Their right to request a review.

### **Renewals of Application**

All Applicants will be required to re-register annually on the anniversary date of their banding to stay on the Housing Register.

If the Applicant fails to re-register when requested, a Caseworker will check their contact details and if the Applicant appears to be a vulnerable person and/or has a high priority need, they will be contacted by phone, visited or referred to the relevant support service for help. If there is no contact and the Applicant fails to re-register, the application will be deregistered.

It is important that the Caseworker is notified of any relevant change in the circumstances of the Applicant or of their household which could affect the assessment of their housing application. Changes should be notified to the Homes First Team by the Applicant as soon as they occur and not left until the application is renewed. Failure to do so may result in the Applicant being removed from the Housing Register.

## **WHAT HAPPENS NEXT?**

An Applicant's priority for housing is decided by assessing the housing needs of their household. Applicants are placed in one of the Priority Bands of housing need according to their circumstances. Applicants are ranked in date order within each Band by the date they registered or moved into a higher Band.

When bids are considered for advertised homes, priority will normally be given to eligible bids from Applicants in the highest Priority Band, although there are some important exceptions to how bids are prioritised which are described below. Within a Band, a bid from the Applicant with the earliest Priority Date will normally be considered first.

## **VERIFICATION**

Applicants will be required to provide information at the point of application. This could include:

- Proof of identity and household details
- Information about the last 5 years address history
- Information about eligibility or qualification or suitability to be a social housing tenant
- Information about financial circumstances
- Confirmation of a local connection

At the point of nomination, the Applicant may be required to confirm and evidence that housing needs and household details remain the same as when the application was assessed.

## **REASSESSING NEED AND CHANGING BAND**

### **Re-assessing need because of changes in circumstances**

The Homes First Team will review all applications periodically. If an Applicant's circumstances change, they may be moved up or down a Band depending on their need and if this happens the Applicant will be informed in writing of their move to a new Band and their new Priority Date.

Applicants must notify the Homes First Team of any relevant change in the circumstances of the Applicant or of their household which could affect the assessment of their housing application. This includes, but is not limited to a change of address, household composition or relevant medical condition.

Changes should be notified to the Homes First Team by the Applicant as soon as they occur and not left until the application is reviewed. Failure to do so may result in the Applicant being removed from the Housing Register.

When an Applicant notifies of a change that is likely to entitle them to a move to a higher Band, they will not be moved to the higher Band until any evidence or documentation requested by the Casework Team is received.

When an Applicant reports a change that may result in a move to a lower Band, their banding will be dropped to the lower Band whilst their case is considered. If the decision is that the Applicant is entitled to remain in the higher Band, their banding will then be altered accordingly.

### **Moving up a Band**

If an Applicant moves up a Band after they are re-assessed because of a change in their circumstances, they will be given a new Priority Date which will be the date that the Homes First Team was notified in writing of the Applicant's change in circumstances.

If an Applicant has moved up a Band as a result of a formal review under **5** above, they will be given a new Priority Date of the date they requested a review, or an earlier date if considered appropriate by a senior advisor.

If an Applicant has moved up a Band as a result of a duty being accepted by Eastbourne Borough Council under the homelessness legislation, they will be given a new Priority Date of the date the duty was received.

### **Moving down a Band**

If an Applicant moves down a Band, then the Priority Date they had in the higher Band will be retained or their Priority Date will revert to an earlier date that applied if they had been in a lower Band previously.

## **HOW TO BID**

Full details of how to bid are set out in the Scheme User Guide which will be sent out to all new Applicants.

Bids must be received by deadline set out in the Guide. Shortlists will be created after this and successful Applicants contacted as soon as possible.

Applicants can make bids for homes that are advertised by either bidding online or telephone bidding. Applicants can also nominate a proxy bidder (including a registered Power of Attorney) and in exceptional circumstances request that the Homes First Team bid on their behalf.

Applicants with support needs and those who have difficulty with written English will be supported by the Customer Contact Centre or Homes First Team or an appointed

support provider such as Homeworks or STEPS. A translator will be provided where essential.

All bids for a home are checked against the criteria that have been set for the home, e.g. the size of the home, or any age restrictions that might apply. Bids that do not meet the set criteria will be excluded from consideration. The Homes First Team will provide advice and support to Applicants who regularly bid for homes where they do not meet the correct criteria.

Applicants can bid for up to three homes each fortnight and, if done online, Applicants can switch their bids to other homes if they change their mind before the bidding deadline.

Existing tenants applying for a transfer who have also applied for a mutual exchange application which has been approved then they will be suspended from bidding until their mutual exchange has been completed or resolved.

## **HOW WE ADVERTISE HOMES TO LET**

Social Housing to let is advertised on-line. All the available homes to let are listed with details and photographs. As soon as the list is published Applicants can bid for the home of their choice in Eastbourne until bidding closes. Shortlists will be created the following day and successful Applicants contacted as soon as possible.

For details of the current advertising and bidding process, please see Appendix 2.

Only Applicants who are registered on the Eastbourne Housing Register can bid for Eastbourne Borough Council properties, unless the Homes First Team decides to place hard-to-let homes in the 'cross-boundary' section of the magazine so that applicants from other districts and boroughs can bid for them.

### **Labelling of homes in adverts**

(a) Each home that is advertised is accompanied by a photograph and a brief description as well as symbols for an at-a-glance guide to the details and who can bid for it including:

- the minimum and maximum number of persons in the household
- whether it is sheltered housing and details of eligibility
- the Mobility Group, if applicable and/or details of any adaptations
- whether the home is to be let at a Social Rent or an Affordable Rent
- whether the home is subject to a Local Lettings Scheme
- whether the home is subject to a sensitive letting

The Council will endeavour to ensure that substantially adapted properties are only allocated to applicants who require such adaptations regardless of Banding. This will also apply to properties where it is likely that substantial adaptations could be carried out.

## **BEDROOM ENTITLEMENT**

Applicants will be assessed for overcrowding in their current home, and the size of home they may bid for, according to the standard set out below.

Applicants will be considered to be lacking a bedroom for each bedroom their current accommodation falls short of this standard. Applicants will be entitled to be placed in Band C if they lack 1 bedroom or in Band B if they lack 2 or more bedrooms.

### **The bedroom entitlement calculation**

The number of bedrooms needed by a household is calculated as follows:

- 1 bedroom for every adult couple
- 1 bedroom for any other person aged 16 or over
- 1 bedroom for any two children under 16 of the same sex
- 1 bedroom for any two children aged under 8, regardless of sex
- 1 bedroom for any additional child under 16 subject to a maximum of 4 bedrooms in total.

A second reception room will be counted as a bedroom.

Applicants occupying a studio flat are considered to have access to a bedroom.

### **Offers of housing where the cost exceeds the households benefit entitlement**

You may be subject to an affordability check before you are offered housing. Landlords have a right to refuse to offer tenancies to Applicants who are unable to afford their housing.

In exceptional circumstances, the Council may offer housing to an Applicant which costs more than the housing element of their benefit entitlement but is otherwise suitable to meet their needs. This is most likely to be where the applicant is affected by the Benefit Cap and where the supply of housing to meet their particular needs is unusually restricted. In such circumstances, the Council will ensure that the applicant is fully aware of this and will expect the applicant to maximise their income to cover any shortfall.

Apart from these exceptional circumstances, the council will not knowingly put applicants in a property that they would be under-occupying, overcrowding or that is unaffordable.

Should an Applicant refuse a property on grounds of unaffordability, then that applicant will not be penalised but may be required to enter into an agreement suitable to the circumstances of the Applicant to avoid similar refusals reoccurring.

### **Joint custody of children**

Where an Applicant has joint custody/residence of a child, that child will not normally be counted as part of the Applicant's household where the child already has the use of a bedroom with another parent/guardian.

### **Expected baby**

For the purposes of calculating bedroom entitlement, it will be assumed that the expected baby can share a bedroom with the parent(s) or an existing child who is under 16, regardless of the expected sex of the baby. When the baby arrives, applicants will be asked to complete an on-line Change of Circumstances and to provide a birth certificate. Bedroom entitlement will then be reviewed.

### **Additional bedroom because of a medical need**

The Homes First Team may, at its discretion, consider that an Applicant needs an additional bedroom over and above the calculation set out above where there is a medical requirement for a household member to sleep in a room alone or where an additional room for medical equipment or an overnight carer is required.

We can only allow an additional room

- When a disabled child or disabled non-dependant adult requires, and has, overnight care from a non-resident overnight carer (or group of carers)
- When a couple are unable to share a bedroom because of their disabilities
- 

The disabled child or non-dependant adult should also normally be in receipt of one of the following;

- Middle or higher rate care DLA
- AA
- Daily Living PIP
- The Armed Forces Independent Payment

### **Additional bedroom for approved foster carers or adopters**

The Homes First Team may consider that an Applicant needs an additional bedroom over and above the calculation set out above where the Applicant has been approved by East Sussex County Council to enter into an adoption, fostering, or special guardianship arrangement. In the case of fostering, housing will only be allocated on a Fixed Term Tenancy.

However, Applicants should be aware that an additional bedroom may exceed the bedroom entitlement criteria for Local Housing Allowance (LHA), and may not be fully covered by housing benefit even after a child has been placed with them.

## HOW PEOPLE ARE PRIORITISED FOR PROPERTIES

### Banding explained

A banding system is used to identify those in greatest need and to reflect the aims and objectives of this policy. We will decide which Band will be allocated based on the information provided in the application.

In all cases supporting evidence will be required to verify an application. When a band is allocated, the decision can be reviewed at any time if circumstances change.

Those with the highest priority will be registered in Band A.

### BAND A\* – emergency or urgent priority

To be placed in this Priority Band the Applicant must fall within one or more of the following categories:

- a) The Applicant has a High Medical Priority (as defined by the applicant's DLA/PIP/AA<sup>i</sup> entitlement, see Table 1 below) and relevant medical evidence (e.g. from an Occupational Therapist, Consultant, Specialist or GP showing why the medical condition necessitates an urgent move. Medical evidence detailing the reasons a move may be required. The could be from a GP, Consultant or Specialist. An Occupational Therapy assessment will be required in all cases where major adaptation needs have been identified. Evidence must demonstrate why a medical condition necessitates an urgent move, how a move to more suitable accommodation can improve health problems and the adaptation requirements in a property.

Table 1: High Medical Priority (required for a Band A medical priority)

	Care Component	Mobility Component	Band
For AA:	Enhanced	Medical evidence dependent	A/B
For DLA:	Highest	Higher	A
For PIP:	Enhanced	Enhanced	A

- b) Accepted homeless households that are in Bed and Breakfast, nightly paid or other forms of insecure temporary accommodation or whose temporary accommodation/ temporary tenancy is due to end in the next two months. 'Accepted homeless' refers to cases where the Council has accepted a legal duty to provide accommodation under part VII of the Housing Act 1996.
- c) Accepted homeless households making their own temporary arrangements or suffering family split due to a genuine lack of accommodation.
- d) The Applicant is ready to move on from approved supported housing within Eastbourne and the appropriateness and need for a social tenancy has been confirmed by the Council.



- e) The Applicant is a Transfer Tenant who needs to move urgently because there is a serious personal risk if they remain.
- f) The Council has issued a Statutory Housing Order (i.e. the existing accommodation has been assessed by the Council as posing an imminent risk to health.
- g) The Applicant's household is statutorily overcrowded or under a court order as defined in s.324 of the Housing Act 1985 or under a court order to re-house.
- h) Priority transfer – e.g. Emergency harassment, agreed by the Head of Homes First in exceptional circumstances due to significant and insurmountable problems associated with the tenant's occupation and there is imminent personal risk to the household if they remain.
- i) Armed Forces Personnel who are serving or have served in the reserve forces and who are suffering from serious injury, illness or disability which is attributable to their service.
- j) The spouse or civil partner of Armed Forces Personnel who has recently ceased, or will cease to be entitled to reside in accommodation provided by the Ministry of Defence following the death of their spouse or civil partner who had service in the regular forces and whose death was attributable to their service.
- k) The Applicant is in exceptional need of housing that warrants placement in Band A (to be approved by the Head of Homes First)

**Band A – very high priority**

- a) The Applicant is a Transfer Tenant who is under-occupying their home. This may include Transfer Applicants wishing to leave their current home and move to sheltered accommodation or Transfer Applicants aged 35 or over currently occupying a studio flat and wishing to move to a 1-bedroom flat.
- b) The Applicant is a Transfer Tenant who is occupying a significantly adapted home they no longer need but which could be used by someone else who needs the adaptations.
- c) The Applicant is a Transfer Tenant who is a successor wishing to move to suitable accommodation.
- d) Successors and non-statutory successors, approved by the Council for an offer of suitable accommodation.
- e) The Applicant is a Transfer Tenant needing a permanent or temporary decant where the property is imminently required for major repair or redevelopment.

## **BAND B – high priority**

To be placed in this Priority Band the Applicant must fall within one or more of the following categories:

- a) The Applicant has been assessed as lacking two or more bedrooms
- b) The Applicant has a Medium Medical Priority (defined by the applicant's DLA/PIP/AA entitlement, see Table 1 below) and relevant medical evidence of an urgent need to move (e.g. from an Occupational Therapist, Consultant, Specialist or GP. This evidence must demonstrate why the medical condition necessitates a move.

Table 2: Medium Medical Priority (required for Band B medical priority)

	Care Component	Mobility Component	Band
AA	Standard	Medical evidence dependent	B/C
For DLA:	Middle	Higher	B
For PIP:	Enhanced	Standard	B
	Standard	Enhanced	B
	Low	Enhanced	B

- c) The Applicant is a Transfer Tenant who needs to move urgently because of harassment or threat of violence or other exceptional circumstances, subject to approval by the Head of Homes First.
- d) Armed Forces Personnel who are serving in the regular forces or who have served in the regular forces within the previous 5 years
- e) Ex-tenants returning from institutions e.g. rehabilitation where a commitment has been made in order to secure the relinquishment of a Council or RP tenancy on entering the institution.
- f) The Applicant has needs that, when considered together, are high enough to indicate that they should be placed in Band B.
- g) High priority hardship: applicants with a dependent child/ren living in insecure accommodation and not having a bedroom and lacking or sharing amenities.
- h) Applicants living in temporary accommodation on licence or on a non secure tenancy who are owed a full housing duty under S193 Housing Act 1996

## **BAND C\* – standard priority**

To be placed in this Priority Band the Applicant must fall within one or more of the following categories:

## Draft Allocations Policy

- a) The Applicant is homeless and is owed a full housing duty under the homelessness legislation by Eastbourne Borough Council and is not in circumstances that warrant Band A priority
- b) The Applicant has a home but Eastbourne Borough Council has a statutory duty to rehouse them, e.g. Compulsory Purchase Order
- c) The Applicant has been assessed as lacking one bedroom
- d) The Applicant has a Low Medical Priority (defined by the applicant's DLA/PIP entitlement, see Table 3 below)

Table 3: Low Medical Priority (required for Band C medical priority)

	Care Component	Mobility Component	Band
For DLA:	Highest	Lower	C
	Middle	Lower	C
	Lowest	Higher	C
	Lowest	Lower	C
For PIP:	Standard	Standard	C
	Enhanced	Standard	C
For AA:	Standard	Dependent on medical evidence provided	C

- e) The Applicant resides in unsanitary or unsatisfactory housing conditions (excluding overcrowding), e.g. substantial disrepair as assessed by Environmental Health, that cannot be addressed by Environmental Health action, such as lacking either a kitchen, bath/shower room, or inside WC.
- f) The Applicant needs to move for care and support reasons where failure to meet that need would cause hardship; e.g. to give support to, or receive support from, a family member.
- g) The Applicant has deliberately worsened their circumstances or become homeless intentionally
- h) The Applicant would normally be disqualified from joining the register because of homeownership or other financial criteria but has been accepted onto the register because of exceptional circumstances.
- i) The Applicant would normally be disqualified from joining the register for financial reasons or because they are a homeowner, but is eligible and applying for sheltered housing.
- j) The Applicant has received a valid notice to quit their private sector accommodation

- l) Applicants who need to move to a particular area in the Borough due to work, where failure to meet that need would cause hardship, and they meet the Qualification Criteria for Right to Move.

### **Band C – standard priority - sheltered housing only**

- a) Applicants who wish to move to sheltered housing who have no additional need which qualifies them for Band A or B.

## **APPLICANTS NEEDING HOUSING WITH CARE AND/OR SUPPORT**

Vulnerable Applicants who have been referred for specialised floating support in self-contained general needs housing, such as an Independent Living Scheme, will be assessed by a member of the Homes First Team for their suitability for that scheme. Applicants will be selected on the basis of a combination of their housing need, their need for the specific support provided by the scheme and the likelihood of a successful outcome in terms of independent living after the support is gradually withdrawn.

Applicants are then assessed by the organisation providing that scheme.

Only Applicants on the Eastbourne Housing Register may be considered for this support.

This arrangement applies to the following categories of vulnerable people who are thought likely to require support for a minimum period of 12 months and are eligible for support funded by the East Sussex County Council Supported Accommodation and Independent Living Solutions programme, particular specialist supported housing or extra care schemes or specialist funding streams.

These categories may include:

- Applicants with enduring mental health issues;
- Applicants with alcohol and substance misuse issues where the Applicant has undergone successful rehabilitation;
- Applicants with significant learning disabilities; and
- some young people with long-term support needs, e.g. some care leavers.

## **APPLICANTS IN SUPPORTED HOUSING WHO ARE READY TO MOVE ON**

An Applicant who is living in supported housing, and is not ready to live independently, will not be accepted on the Housing Register.

Once an applicant in supported housing is considered ready to move on to independent living in general needs housing, the manager of the supported housing

provider will advise the Homes First Team in writing. The Applicant's case will then be assessed and banding determined.

An Applicant will not be given any priority consideration if they are being required to leave supported housing because of a breach of tenancy conditions.

## **APPLICANTS WHO HAVE BEEN ACCEPTED AS HOMELESS**

Applicants who have been accepted as homeless by the Council must have been resident for 6 out of the previous 12 months to qualify to join the Housing Register.

Applicants who are already registered who make a homelessness application to their Council will remain in their existing Priority Band whilst their application is considered. Applicants who apply to join the register after they have applied as homeless will be placed in Band C whilst their homelessness application is considered, unless they have been disqualified from joining the housing register.

### **Review of Applicant's Priority**

The Homes First Team may increase an Applicant's priority by authorising a move into Band A category (e) where they consider that this is appropriate. A decision will be made on a case-by-case basis taking into account the Applicant's particular circumstances; the suitability of their current accommodation and urgency for a move; and the prospects of them moving out of temporary accommodation without an increase in priority.

The Council reserves the right to discharge its duty to secure housing for households accepted as homeless by arranging an offer of suitable accommodation in the private rented sector.

## **TRANSFER APPLICANTS**

### **Definition of a Transfer Applicant**

Any reference to Transfer Applicants in this Allocation Scheme refers only to tenants of Council properties or Registered Providers who advertise 100% of their stock through Eastbourne Borough Council. Additional consideration will be given to cases where the Registered Provider has evidenced they cannot downsize or move their tenant to a suitable alternative. The provider will also need to have agreed to Eastbourne Borough Council having nomination rights to the tenant's existing property.

Other social tenants, not fitting this definition, are considered in the same way as all other Housing Applicants.

Tenants of Registered Providers that hold lists and/or provide tenants with alternative access to their own housing stock do not qualify to join the housing

register and are not considered as Transfer Tenants for the purposes of this Allocation Scheme.

Homeless Applicants residing in temporary accommodation arranged by the Council are not considered as Transfer Applicants.

The notice period provided by tenants when transferring is often truncated with the result that both tenants and housing providers may have a short time period to make moving arrangements. In anticipation of this, Transfer Applicants may be required to complete certain actions specified by their present housing provider as part of the offer procedure e.g. a moving out inspection.

Transfer Applicants may join the Housing Register and will be considered for an allocation of accommodation through the Choice-Based Lettings process in the same way as any other Applicant, subject to the following:

Bids for homes will not be considered from any Transfer Applicant who is subject to possession action by their landlord, including those subject to a Notice Seeking Possession, unless their landlord expressly advises the Homes First Team, in writing, that they are happy for their tenant to move with arrears.

### **Temporary Decants**

A temporary decant into a suitable property may be arranged by a housing association landlord through Direct Allocation so that major works can be carried out before a tenant can return to their home. A Temporary Decant may be converted to a Permanent Decant where repairs to a tenant's home become so extensive, and the decant time so long, that it is considered unreasonable to expect the tenant to return to their original home.

### **Permanent Decants**

A permanent decant into a suitable property may be arranged by a landlord through Direct Allocation where a tenant's home is to be demolished or redeveloped.

Alternatively, with the approval of the Head of Homes First, the Applicant may be placed in Band A to allow them to bid for a home of their choice.

### **Management Transfers**

All Transfers required in cases of exceptional need, e.g. where special medical, social, or unusual circumstances arise, may only take place through the normal Choice-Based Lettings process and must be considered within the provisions of this Allocation Scheme.

## **HOUSING RELATED DEBT OR RENT ARREARS AFFECTING PRIORITY**

The Council considers that priority should be given to those applicants who do not owe money to a council or housing association in connection with housing.

Less priority will therefore be given to an Applicant who has any housing related debt or rent arrears with the Council, another local authority, or a housing association, unless the Applicant is a Transfer Applicant and their landlord expressly advises the Homes First Team, in writing, that they are content for their tenant to move with arrears.

The Council will not normally make an offer of accommodation to a transfer applicant where Notice Seeking Possession has been served for rent arrears or any other reason, except for Eastbourne Borough Council tenants who are eligible for a Tenants Incentive Scheme and the amount payable would clear the outstanding arrears.

Bids from an Applicant in housing need in Band A or Band B to whom this applies will be given less priority than bids from other Applicants in any of these Bands until the housing related debt or arrears have been cleared in full.

This means, for example, that a bid from an Applicant in Band A with a debt could be given less priority than a bid from an Applicant in Band B who does not have a housing related debt.

Bids from Applicants in Band C to whom this applies will be given less priority than bids from other Applicants in Band C until the housing related debt or arrears have been cleared in full.

For the avoidance of doubt, a bid from an Applicant in Band C will not be given a higher priority than a bid from an Applicant in housing need in Band A or B who has a housing related debt or arrears.

Although an Applicant with a housing related debt may be nominated for an allocation of housing, the housing provider to whom the debt is owed or indeed any other housing provider may reserve the right to refuse the Applicant a tenancy until the debt is cleared.

Any Applicant affected by a decision that they are to be given less priority than her Applicants because of a housing related debt will be notified in writing, with reasons, by the Homes First Team.

### **ANTI-SOCIAL BEHAVIOUR AFFECTING PRIORITY**

Some Applicants are excluded from joining the register because they do not qualify as a result of unacceptable behaviour.

However, even where it is decided that an Applicant does qualify, any history of anti-social behaviour of the Applicant (or member of their household) which affects their suitability to be a tenant may still be taken into account when allocating a home that is 'subject to a sensitive letting' under a Local Lettings Scheme as described below.

Any Applicant affected by a decision that their history of anti-social behaviour may be taken into account when allocating a home that is 'subject to a sensitive letting' will be notified in writing, with reasons, by the Homes First Team.

Any home that is 'subject to a sensitive letting' will be identified as such when it is advertised.

Whilst any Applicant may bid for homes that are 'subject to a sensitive letting', the Homes First Team will consider bids from those with a history of anti-social behaviour on a case-by-case basis as to whether the Applicant is suitable to be allocated the home they have bid for.

The Council reserves the right to take full account of the needs of the local community as well as the Applicant's when deciding to make an allocation of accommodation to the Applicant. In very exceptional cases this right may extend to not allocating a particular home to an Applicant even where the home has not been advertised as being 'subject to a sensitive letting'. In such cases the Homes First Team will seek the authority of a Head of Homes First.

### **DELIBERATE WORSENING OF CIRCUMSTANCES AND BECOMING HOMELESS INTENTIONALLY**

The Council considers that Applicants who have deliberately worsened their housing circumstances or have become homeless intentionally should not receive priority over other Applicants as a result of their worsened circumstances.

An Applicant who is considered to have deliberately worsened their circumstances, or is found by the Council to have become intentionally homeless within the meaning of the homelessness legislation, will therefore be placed in Band C (the lowest Band).

If an applicant is found to be intentionally homeless, the application will be treated and assessed in the same way as any other housing application.



## **LOCAL LETTINGS SCHEMES**

### **Achieving Balanced Communities**

The Council may, where appropriate, in consultation with the relevant housing providers, adopt a Local Lettings Scheme whereby individual homes, blocks, streets, estates or neighbourhoods may be allocated according to different criteria to those normally used.

Some Local Lettings Schemes limit who can be considered as a tenant, e.g. they may limit allocation on the basis of employment or positive contribution to the Borough. Others may allow for a 'sensitive letting' so as to exclude Applicants with a history of antisocial behaviour.

Such a scheme might be adopted in order to achieve a balanced community on a new estate for example or to assist in rectifying problems on an existing estate where there are management difficulties or the homes have become difficult to let.

Any such Local Letting Scheme will endeavour to ensure that the twin aims of firstly meeting housing need and secondly maintaining sustainable communities within the social housing stock are achieved.

Such schemes will be agreed to operate for a strictly one-off letting or for a limited period of time after which the scheme will be reviewed by the Homes First Team.

Any home that is subject to a Local Lettings Scheme will be identified when advertised along with details of restrictions on who may be considered when allocating the home.

### **Sensitive lettings**

Some homes will be advertised as being 'subject to sensitive letting' to assist in rectifying problems on an estate where there are management difficulties or the homes have become difficult to let. Whilst any Applicant may bid for homes that are 'subject to a sensitive letting', the Casework Team will consider bids from those with a history of anti-social behaviour on a case-by-case basis as to whether the Applicant is suitable to be allocated the home they have bid for.

### **Essential or Key Workers**

The law allows the Council to allocate accommodation to people of a particular description, whether or not they fall within the reasonable preference categories. Occasionally, specific funding is made available for schemes to develop low cost home ownership and affordable rented housing for keyworkers such as teachers, nurses and police officers. These homes will be made available only to Applicants who meet the qualifying criteria. Such homes will be labelled when advertised.

## **THE SIZE OF HOME APPLICANTS CAN BID FOR**

Applicants may only bid for the size of home that is considered to be suitable for their household. Applicants will be advised of the size they can bid for when they register.

## **FEEDBACK ON LET HOMES**

All homes that have been advertised that have been let will be listed on-line at a future date showing the number of bidders for each home.

## **DIRECT ALLOCATIONS**

The Council reserves the right to Directly Allocate housing to

- Applicants in circumstances where remaining in their current accommodation may cause risk of death or serious injury.
- Applicants with multiple needs that fall within Band A
- Applicants who have been accepted as homeless where the Council has a duty to house
- Applicants who are currently living in approved supported housing within Eastbourne and are ready to move on
- Tenants requiring a Temporary or Permanent Decant
- Existing tenants of the Council's sheltered housing wishing to transfer within a sheltered scheme
- Applicants who pose a potential risk to the public as assessed by the Multi-Agency Public Protection Assessment Panel (MAPPA)
- Ex-Council or Registered Provider tenants
- Non-statutory successors
- Existing tenants of the Council requiring an urgent move
- Under-occupiers who have succeeded to a tenancy and have refused an offer
- Other Applicants in exceptional circumstances and at the discretion of the Head of Homes First.

## **REFUSING AN OFFER OF SUITABLE HOUSING**

With certain exceptions we will not normally penalise Applicants who, having successfully bid for a home, subsequently refuse an offer of accommodation. However, Applicants who refuse a reasonable offer of a home resulting from a Direct Allocation may be removed from the Housing Register, or have their banding reassessed. The specified period of time will be decided by the Homes First Team, approved by a senior advisor, and set for 3 months, 6 months or for a year. The Homes First Team will notify in writing Applicants affected by such a decision, providing the reason for the decision and how an Applicant may request a review.

Applicants who refuse an offer on grounds on unaffordability will not be penalised but may be required to enter into an agreement suitable to the circumstances of the Applicant to avoid similar refusals recurring. If the Applicant does not enter into a required agreement or does not abide with that agreement then the above penalties may apply.

Any homeless Applicant who refuses a Final Offer of a home resulting from a Direct Allocation, which is considered to be suitable by the Council, will result in the ending of that housing duty and an ending of the provision of any temporary accommodation that has been arranged for the Applicant.

Whether or not a Homeless Applicant accepts an offer, they have the statutory right to request a review of the suitability of the accommodation they have been offered. Any offer of a home will not be kept open while the Applicant's case is considered but may be let to another Applicant who has bid. Homeless Applicants are therefore encouraged to accept the offer that has been made to them, even if they intend to request a statutory review of its suitability.

Any Applicant owed a statutory duty to re-house other than a duty under the homelessness legislation (e.g. under a Compulsory Purchase Order) who refuses a reasonable offer of a home resulting from a Direct Allocation will result in the ending of that housing duty.

If an Applicant who is ready to move on from supported housing and has discretionary agreement from the council refuses a reasonable offer of a home resulting from a Direct Bid made on their behalf, they will lose their priority banding and be re-banded according to their current housing circumstances.

### **TIME LIMITS FOR BIDDING - 6 week time limit**

Applicants who have been accepted as homeless where the Council has accepted a legal duty to provide accommodation under part VII of the Housing Act 1996 are subject to a six week time limit for bidding on housing of their choice. This is calculated from the date they are registered in Band A or C. If the Applicant bids successfully for a property and unreasonably rejects the offer of a tenancy, the legal duty to rehouse them may be discharged.

### **SELECTION FOR PROPERTIES**

All bids that meet the criteria for each home are placed in priority order on a shortlist. With certain exceptions, priority is normally decided first by Priority Band, then by Local Connection and then by Priority Date within the Band. Exceptions to this are detailed below.

#### **How we prioritise bids for sheltered housing**

Applicants bidding for sheltered housing who have a housing need which would qualify them to register for general needs housing will take priority over those who do not.

### **Where an Applicant's bids are first on the shortlist for more than one home**

When an Applicant is first in priority order on more than one home, the Casework Team will attempt to contact the Applicant to allow them to choose which of these homes they should be nominated for. Where this is not possible, the Casework Team will determine which property is the most suitable, based on information provided by the applicant e.g. cited area preference.

### **Tied bids**

In the event of a tied bid, a decision would be made by the Homes First Team.

### **If there are no successful bids on a home**

If there are no bids that meet the criteria for a home, the Homes First Team will consider the property for a Direct Allocation. If no letting is made through a Direct Allocation, the property may then be re-advertised or re-advertised as a property available for cross-partnership/area bids.

### **Housing related debt or rent arrears affecting priority**

The Council will not allocate housing to any Applicant with significant housing related debt or rent arrears. It is the Applicant's responsibility to disclose any debt or rent arrears they may have.

### **Transfer Applicants who are subject to possession action by their landlord**

Bids for homes will not be considered from any Transfer Applicant who is subject to possession action by their landlord, including those subject to a Notice Seeking Possession, unless their landlord expressly advises the Homes First Team, in writing, that they are happy for their tenant to move with arrears.

### **Homes advertised as being 'subject to a sensitive letting'**

Bids from Applicants with a history of anti-social behaviour will be given less priority than bids from other Applicants for homes that are advertised as 'subject to a sensitive letting'.

Sensitive lets will be looked at on a case by case basis.

### **Homes advertised as being 'subject to a local lettings scheme'**

Bids from Applicants for homes advertised as being 'subject to a local lettings scheme' will be prioritised according to specific criteria specified in the agreed scheme.

## **LETTINGS TO COUNCIL MEMBERS, EMPLOYEES AND THEIR FAMILIES**

Council Members and Board Members of Eastbourne Homes, and officers working for Eastbourne Borough Council and their close relatives have the right to join the Housing Register and bid for housing. Where they bid successfully for a property, the offer of a tenancy must be approved by the Head of Homes First. For these purposes 'close relatives' will include parents, children, grand-parents, grand-children, aunts, uncles, and the partners of any of these.

## **THE RIGHT TO REQUEST A REVIEW**

Applicants have the right to request a review of:

- a decision to exclude them from joining the Housing Register on the grounds that they are ineligible
- a decision to exclude them from joining the Housing Register on the grounds that they do not qualify
- a decision to remove someone from the Housing Register or exclude them from bidding other than at their own request
- a decision concerning the facts which are likely to be or have been taken into account in considering whether to allocate housing. The applicant can ask for a review if they believe that the Homes First Team has taken incorrect facts into account for example when deciding the extent of the applicants household or of any medical needs of the applicant.

An officer senior to the officer making the original decision and who was not involved in making the original decision will carry out these reviews.

### **Procedure**

- A request for a review must be made within 21 days from the day on which the applicant is notified of the Council's decision and the reasons for it. The Council has discretion to extend the time limit if it considers this would be reasonable.
- The officer carrying out the review will carry out an investigation and, if further information is needed, invite the applicant to write, or if unable to do this, make oral representation, or the applicant may also appoint someone on his or her behalf to do this.
- If the reviewing officer finds that the officer who took the decision did not take relevant information into account they will refer the file back to that officer for review.
- The officer will notify the applicant of their decision within eight weeks of the

request for a review. There is no right to request a further review of the decision unless the applicant's circumstances change.

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## **APPENDIX 1: CONTACTING YOUR COUNCIL REGARDING A HOUSING ALLOCATION ISSUE**

Council contact details need inserting

If you have an enquiry about a housing Allocation issue there are several ways you can contact us.

Please make sure that you have your Housing Register reference number (if you have been given one)

## **APPENDIX 2: CURRENT ADVERTISING ARRANGEMENTS**

Social Housing to let in Eastbourne is currently advertised through the Homemove Partnership via its website at [www.homemove.org.uk](http://www.homemove.org.uk). On the homepage of this site there is a link to the electronic 'Homemove Magazine' which lists, with photographs, all the available homes to let in all the local council areas that have joined the Homemove Partnership

The Homemove Magazine is published electronically every two weeks on a Friday and as soon as it is published Applicants can bid for the home of their choice which matches their needs until 2pm the following Wednesday when bidding closes. Shortlists will be created the following day and successful Applicants contacted as soon as possible.

All homes that have been advertised in the electronic Sussex Homemove Magazine that have been let will be listed in a future copy of the magazine showing the number of bidders for each home.

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<sup>i</sup> PIP – Personal Independence Payment; DLA – Disability Living Allowance; AA – Attendance Allowance