



# The North Hertfordshire Housing Partnership

## Common Housing Allocation Scheme

DATE

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## 1. INTRODUCTION

North Hertfordshire District Council, North Hertfordshire Homes and Howard Cottage Housing Association have established the North Hertfordshire Housing Partnership (NHHP) to work jointly to assist households with a housing need to secure accommodation. Members of the Partnership have administered their own allocation schemes under a Common Housing Register for a number of years. As a result, applicants to the Common Housing Register were considered and assessed under three different schemes.

To improve transparency and efficiency, the Partnership has co-operated to deliver a Common Housing Allocation Scheme. This scheme has been adopted following consultation with all Private Registered Providers of Social Housing (PRPSHs) operating in the district, members of the public and relevant statutory and voluntary agencies.

Summary and full versions of the Common Housing Allocation Scheme are published on the websites of members of the NHHP and a copy will be provided free of charge to anyone requesting it.

Homes are allocated through Choice Based Lettings (CBL). Under CBL, available properties are advertised and applicants select which properties they wish to be considered for and express an interest in the property. This is known as a 'bid'. Support with making bids is available to anyone in need of it.

In preparing this scheme the NHHP have had regard for legislation, statutory guidance and local strategies and policies, including :

- The Housing Act 1996;
- The Homelessness Act 2002;
- Allocation of accommodation: guidance for local housing authorities in England June 2012;
- The Localism Act 2012;
- The Regulatory Framework for Social housing in England from April 2012;
- The Welfare Reform Act 2012;
- Equalities Legislation;
- The Human Rights Act 1998;
- The Freedom of information Act 2000;
- The Data Protection Act 1998;
- The North Herts and Stevenage Homelessness Strategy;
- The North Herts District Council Tenancy Strategy;
- The North Hertfordshire Homes Tenancy Policy.

## 2. EQUAL OPPORTUNITIES

The Partnership endeavours to meet the diverse needs of the community without bias. The Equality Impact Assessment for this Scheme is available on the websites of NHDC, NHH and HCHA.

The Common Housing Allocation Scheme will be monitored to ensure that no groups are unfairly disadvantaged by the operation of the scheme.

Should such monitoring expose inconsistencies in outcomes for any group(s), the Partnership will take steps to eliminate any disadvantage experienced by the group(s) concerned.

## 3. SOCIAL HOUSING STOCK IN NORTH HERTS

There are over 9,000 general needs properties for rent (see Annex A) and over 30 sheltered housing/Retirement Living projects(see Annex B) spread throughout the district.

## 4. LETTINGS NOT COVERED BY THE SCHEME

Some lettings are excluded from the terms of this scheme; these include:

- offers of tenancies of their current homes to introductory tenants of North Hertfordshire Homes and Howard Cottage Housing Association;
- the **renewal of a fixed term tenancy to a current tenant in the same property;**
- offers of tenancies of the type deemed not to be secure tenancies by virtue of Paragraphs 2, 3, 4, 4A, 5, 6, 7, or 10 of Schedule 1 of the Housing Act 1985, as amended;
- offers made to tenants of North Hertfordshire Homes or Howard Cottage Housing Association at the instigation of the NHHP, rather than in response to an application from them: for example, to tenants being decanted on a temporary basis, or to under-occupying successors;
- transfers of NHH or HCHA tenants that are made for housing management purposes;
- offers to displaced residential owners under the Land Compensation Act 1973;
- transfers of tenancies made by Court Order under the Matrimonial Causes Act 1973 or other family legislation;
- assignments of, and successions to, North Hertfordshire Homes or Howard Cottage Housing Association Tenancies;
- where a tenant dies and there is no other person who has succession rights, the NHHP has the discretion to grant a tenancy either in the same home or a suitable alternative to a household member who has been living with the deceased

tenant for at least one year; and/or been a carer for the tenant; or has accepted responsibility for the deceased tenant's dependants;

- mutual exchanges of social housing tenancies;
- offers of tenancies made under reciprocal arrangements with other local housing authorities or PRPSHs;
- lettings to properties leased by North Hertfordshire Homes or Howard Cottage Housing Association to providers of supported accommodation and subsequent tenancies issued to residents of such properties;
- lettings to flexi-care or other supported housing
- lettings of temporary accommodation to statutory homeless households;
- sensitive lettings e.g. public protection cases; and
- lettings made to households under the witness mobility scheme

## **5. MAKING AN APPLICATION**

Access to the Common Housing Register is via an on-line application form. The form can be completed on-line at [www.home4u.org.uk](http://www.home4u.org.uk) or accessed via the websites of North Hertfordshire District Council, North Hertfordshire Homes or Howard Cottage Housing Association.

All applications for social rented housing will be considered provided the applicant is eligible (see paragraphs 5.4) and aged 16 years or over.

Married applicants, those in civil or common law partnerships and couples who wish to live together but are not already doing so are encouraged to make a joint application.

Individuals can only be included in one application unless there are exceptional circumstances.

When completing an application to the Common Housing Register, applicants should include members of their household that they wish to be accommodated with them. Members of the household may include:

- anyone who normally resides with the applicant as a member of their family;
- anyone who is a member of the applicant's family who does not normally reside with them but could reasonably be expected to do so;
- someone normally residing with the applicant but not as a member of their family, for instance, a carer, friend or lodger;

- anyone who does not normally reside with the applicant and is not a member of their family but could reasonably be expected to live with them.

Once an application has been received and all supporting evidence assessed, applicants will be notified of the preference they have been awarded and provided with guidance on participating in the choice based lettings scheme Home4U.

Should an applicant consider that their housing circumstances have not been taken fully into account they can request a review of the facts of their case (see paragraph 14.).

### **5.1 Advice and Assistance in making an application**

Advice and assistance with making an application is available free of charge to anyone in the district who has difficulty with making an application. Applicants requiring assistance should contact the partner to which they make their application.

### **5.2 Translation**

A summary of this document will be made available in other languages upon request. We can also arrange a translation service for applicants who visit our offices in person. Applicants requiring this service should contact the partner to which they make their application.

### **5.3 Transcription**

A summary of this document can be transcribed to Braille and audiotape and converted to large print. Applicants requiring this service should contact the partner to which they make their application.

### **5.4 Eligibility and qualification**

All applicants will be assessed to establish their eligibility for an allocation and that they qualify for the Common Housing Register at both the point of application and the point of allocation.

#### **5.4.1 Eligibility**

Applicants are ineligible for an allocation of accommodation under the following circumstances:

- the applicant(s) is a person from abroad and subject to immigration control with the exception of those persons prescribed by the Secretary of State as subject to immigration control but nonetheless eligible for an allocation as set out in



The Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006 and/or any subsequent amendments;

- the applicant(s) is a person from abroad who is not subject to immigration control who is not habitually resident in the Common Travel Area.

There are no restrictions to including a person subject to immigration control as part of the household of an eligible applicant.

Those subject to immigration control are not restricted from accessing Low-Cost Home Ownership schemes provided that they are unable to afford suitable accommodation on the open market and can secure a mortgage. Applicants who are ineligible for social rented housing due to their immigration status who wish to be considered for such schemes should contact the Homebuy Agency for the East of England.

Applicants found to be ineligible for an allocation of social housing due to their immigration status will not be accepted onto the Common Housing Register. They will be notified of the decision and the reasons for it in writing. The applicant has a right to request a review of such a decision (see paragraph 14).

#### 5.4.2 Qualification

An applicant will not qualify for inclusion on the Common Housing Register, unless there are exceptional circumstances (see paragraph 18.2), in the following circumstances:

- the applicant does not have a housing need;
- the applicant does not have a local connection (unless they require sheltered housing/Retirement Living) (see paragraph 18.1);
- the applicant or a member of his/her household has been evicted from social housing as a result of anti-social behaviour (see paragraph 5.5);
- the applicant or a member of his/her household has been convicted of anti-social behaviour or certain types of crime (see paragraph 5.5);
- the applicant or a member of his/her household is facing legal action for anti-social behaviour or certain types of crime (see paragraph 5.5);
- the applicant has an outstanding housing debt (see paragraph 5.6);
- the applicant has sufficient resources to buy a suitable home on the open market (see paragraph 5.11);
- the gross income of the household exceeds £60,000 per annum unless there are exceptional circumstances;

- the applicant has made a fraudulent application to the housing register (see paragraph 5.8).

Applicants who do not qualify for inclusion on the Common Housing Register will be notified of the decision and the reasons for it in writing. The applicant has a right to request a review of such a decision (see paragraph 14).

## **5.5 Unacceptable behaviour – anti-social behaviour/crime**

An applicant will not qualify for inclusion on the Common Housing Register, (unless there are exceptional circumstances (see paragraph 18.2)), if he/she or a member of their household:

- has a conviction for an offence which may be considered as anti-social behaviour or a civil order granted by a court under the Crime and Disorder Act 1988 or the Anti-Social behaviour Act 2003;
- is subject to criminal legal action or to a court order for behaviour that may be considered as anti social;
- has a conviction for a crime that is likely to cause fear, distress and alarm;
- is subject to legal action for a crime that is likely to cause fear, distress and alarm;
- has been evicted from social housing as a result of anti-social behaviour.

The Partnership will consider a fresh application to the Common Housing Register from any applicant refused access to the Common Housing Register on grounds of anti-social behaviour if the person responsible for the ASB/crime has lived in the community for five years with no further convictions of this type.

Applicants who do not qualify for inclusion on the Common Housing Register will be notified of the decision and the reasons for it in writing. The applicant has a right to request a review of such a decision (see paragraph 14).

## **5.6 Unacceptable behaviour - housing debts**

Applicants with housing debt will not qualify to join the Common Housing Register unless there are exceptional circumstances (see paragraph 18.2). A housing debt is a debt related to a current or previous tenancy owed to:

- a social landlord
- a private rented sector landlord; or
- NHDC resulting from claims against the NHDC Deposit Guarantee Scheme; or

- an agency that has provided a loan as a result of a referral by NHDC for the purpose of preventing homelessness.

Housing debts include:

- current or former tenant/licensee rent/charge arrears in respect of a dwelling;
- Mesne profits owed by tolerated trespassers;
- court costs in respect of possession proceedings, anti-social behaviour or any other proceedings relating to the applicant's occupation of his/her home or former home;
- charges for repair of damage to a dwelling that occupier is liable for;
- claims from a private landlord against a deposit guaranteed by NHDC;
- loans from agencies that were enabled by NHDC for the purpose of preventing homelessness.

Applicants with debts owed to a landlord will not qualify for inclusion on the Common Housing Register until the debt is cleared.

Applicants who have not maintained agreed repayments on loans enabled by NHDC will be removed from the Common Housing Register, unless they bring their repayments up to date within 3 months **from the date on which their application is accepted**. Applicants who fail to bring their repayments up to date within the specified timeframe will be removed from the Common Housing Register. Such applicants will not qualify for inclusion on the Common Housing Register until the debt is cleared

Applicants who do not qualify for an allocation will be informed of the decision and the reasons for it in writing. Such applicants have a right to request a review of the decision (see paragraph 14).

### **5.6.1 Former social housing tenants**

Applicants who have been evicted by a social housing provider will not qualify for inclusion on the Housing Register for five years from the date of eviction. Further, such applicants will not qualify for an allocation to a property belonging to the evicting landlord for 10 years from the date of eviction.

Disqualification from inclusion on the Common Housing Register does not apply to applicants who are evicted from temporary accommodation provided under the Council's homelessness duties or functions under part VII Housing Act 1996.

Applicants who have been evicted by a social housing provider may qualify for inclusion on the Common Housing Register in

exceptional circumstances. All factors will be taken in to account (see paragraph 18.2 on the use of discretion).

Applicants who do not qualify for an allocation will be informed of the decision and the reasons for it in writing. Such applicants have a right to request a review of the decision (see paragraph 14).

#### **5.6.2 Applicants who accrue housing debts when on the housing register**

If an applicant who has already been accepted onto the housing register falls into housing debt their application will be suspended for three months. If during this time they clear the debt their application will be reinstated. However, should they fail to clear the debt within the three month period they will be removed from the housing register. In these circumstances, they may reapply to the housing register once the debt is cleared.

Applicants who accrue housing debts while on the housing register may avoid suspension if there are exceptional circumstances (see paragraph 18.2).

Applicants whose application is suspended will be informed of the decision in writing. Such applicants have a right to request a review of the decision (see paragraph 14).

#### **5.7 Intentional worsening of housing circumstances**

Should an applicant perform a deliberate action or inaction that results in a worsening of their housing circumstances, they will not gain preference on the Common Housing Register unless there are exceptional circumstances (see paragraph 18.2). The household will be placed in the band and awarded the points that they would have qualified for should they not have worsened their housing circumstances.

Households able to resolve their own housing needs by renting a suitable property in the private sector without recourse to public funds and choose not to do so, will be placed in the band and/or awarded points that they would have qualified for should they have done so unless there are exceptional circumstances (see paragraph 18.2).

The situation will be reviewed 12 months from the date of acceptance onto the Common Housing Register or upon a material change of circumstance within the household.

Applicants who have their preference reduced as a result of intentional worsening of their housing circumstances, or failing to resolve their own housing need when it is reasonable for them to do so, will be informed of the decision in writing. Such applicants

have a right to request a review of the decision (see paragraph 14).

## **5.8 Withholding information/giving false information**

It is an offence, under section 171 of the Housing Act 1996, for a person to knowingly make a statement which is false, or withhold information which is relevant to their application.

If, following an investigation by the NHHP, it is deemed that an applicant has knowingly submitted a fraudulent application the application will be cancelled. The applicant will not qualify for inclusion on the Common Housing Register for five years from the date of cancellation.

**Additionally**, the Partnership may prosecute an applicant who commits such an offence or, seek possession of any tenancy that has been granted as a result of a false statement by the tenant or anyone acting at the tenant's instigation or with his/her knowledge.

Applicants who do not qualify for inclusion on the Common Housing Register as a result of withholding information or giving false information, will be informed of the decision in writing. Such applicants have a right to request a review of the decision (see paragraph 14).

## **5.9 Applicants aged 16 and 17 years**

A guarantor may be required by social landlords when offering a tenancy to a person under the age of 18. Where a tenancy is to be offered by a member of the NHHP and there is no guarantor available to the applicant, senior officers of the Partnership will make a decision on whether an allocation can be made without a guarantor.

## **5.10 Owner occupiers**

Owner occupiers with a housing need will be accepted onto the housing register provided they have insufficient resources to resolve their housing need and;

- it is unreasonable to continue to occupy their current accommodation; and
- it is not possible, to adapt their current accommodation to meet their needs after taking into account the affordability and practicality of any necessary measures; and
- they have insufficient resources to purchase a suitable property in North Herts; or
- they have insufficient resources to purchase suitable accommodation in the local authority area in which they

currently live and there is a compelling reason why they need to move into North Herts.

When making a decision on whether it is reasonable for the household to continue to occupy the accommodation the following will be taken into account:

- whether the accommodation and amenities within it are accessible to all members of the household;
- affordability – taking into consideration any equity in the property, any other properties owned by members of the household and the availability of Government supported schemes such as Mortgage to Rent, Support for Mortgage Interest and the Mortgage Rescue Scheme;
- the physical condition of the property;
- the probability that the continued occupation of the property will result in violence or threats of violence that are likely to be carried out against applicant or a member of their household.
- whether the property is overcrowded to the extent that it is unreasonable for the household to continue to occupy it;
- any other reason that would make it unreasonable for the household to continue occupy their present accommodation.

Where it is unreasonable for the household to continue to occupy their property, they will be awarded preference according to their housing need.

Owner-occupiers accepted onto the Common Housing Register are required to take all reasonable steps to complete the sale of their property before taking up a social housing tenancy. Where the NHHP is satisfied that, despite making all reasonable efforts, including reducing the price, this has not been possible, the applicant will be required to undertake to bring their interest in the property to an end as soon as possible after being granted a tenancy and to keep the NHHP informed on their progress in doing so.

Owner occupiers who either have exceptional difficulties or are applying for sheltered housing/Retirement Living may not be required to have taken all reasonable steps to have completed the sale of their property before taking up a social housing tenancy.

Where a tenancy is granted to a person who owns a property it will be an assured shorthold tenancy with a fixed term of 6 months. The tenancy may be brought to an end if the applicant does not take reasonable steps to sell their property.

Once the Partnership is satisfied that the applicant no longer has an interest in their former, market property the tenancy will be converted to a social tenancy.

**5.11 Applicants with sufficient financial resources to purchase accommodation that meets their housing need.**

Applicants who can meet their own housing need by buying a suitable property on the open market, with a mortgage, will not qualify for inclusion on the Common Housing Register. Resources include affordable loans, income, equity and capital.

**5.12 Holders of social housing tenancies**

Applicants with social housing tenancies will be required to bring their tenancy to an end to enable them to take up any tenancy. Such applicants should take advice before bringing their current tenancy to an end to ensure that they do not worsen their circumstances.

Housing Advice is available from the Council free of charge.

**5.13 Homeless Households**

The Council has a duty to make inquiries into the circumstances of applicants who are homeless or threatened with homelessness. The inquiries will ascertain whether the applicant is eligible for assistance and, if so, what duty is owed to them under homelessness legislation.

An applicant is homeless when they, together with other members of their household, do not have accommodation that:

- they have a legal right to occupy; or
- is accessible and physically available to them; or
- it would be reasonable for them to continue to live in.

An applicant is threatened with homelessness when they are likely to become homeless within 28 days. Where an applicant is likely to become homeless but not within 28 days, they will be offered housing advice and assistance and awarded preference relevant to their housing need on the housing register.

Applications to the Common Housing Register, received by any of the partners, that indicate that the applicant is homeless or threatened with homelessness, will be treated as an approach for assistance under homelessness legislation. The Council will make inquiries into their homelessness and provide the applicant with a decision on their status under the legislation and fulfil any duty owed to them. These duties may include providing the applicant with:

- housing Advice; and/or

- assistance to enable the applicant to remain in their current accommodation; or
- assistance to enable the applicant to secure alternative accommodation; or
- accommodation.

Eligible applicants will be placed on the Common Housing Register and awarded the level of preference appropriate to their homelessness status.

#### **5.14 Agricultural Workers**

Applications from displaced agricultural workers in tied accommodation will be referred to the Agricultural Dwelling House Advisory Committee (ADHAC) for a recommendation.

Should the ADHAC Tribunal be satisfied that the agricultural worker's accommodation is properly required by another employee, the applicant will be awarded priority for insecurity of tenure and any other housing need experienced by the household.

#### **5.15 Applications from households in institutions**

Applications from households that are, at the time of their application, in an institution, such as the Armed Forces, long term hospital, a rehabilitation unit or prison, can apply to the Common Housing Register. If the household has no suitable accommodation to return to they will be awarded band C preference. When they are within 3 months of leaving the institution they will be awarded preference for any other recognised housing need that applies to them.

Bids from households in a institution will be bypassed unless they can provide satisfactory evidence that they can take up the tenancy on the date on which it becomes available.

#### **5.16 Members of the Armed Forces, former Service personnel and bereaved spouses of members of the Armed Forces**

##### **5.16.1 Local Connection:**

Members of the Armed Forces and former service personnel will be deemed to have a local connection to North Hertfordshire, (see paragraph 18.1).

Bereaved spouses or civil partners of members of the Armed Forces leaving Services Family Accommodation following the death of their spouse or civil partner will be deemed to have a connection to North Hertfordshire.



NB: a local connection granted by virtue of an applicant's association with the Armed Forces will not override local connection criteria attached to rural schemes (see paragraph 7.2) and local lettings policies (see paragraph 7.1).

#### **5.16.2 Banding and points:**

Applicants from members of the armed forces or their bereaved spouses will be banded according to their housing need and awarded an additional three preference points provided:

- they have a recognised housing need; and
- the application is made within five years of discharge;
- the applicant was not dishonourably discharged; and
- they have provided official evidence of their discharge or, in the case of bereaved spouses, that they must leave forces accommodation.

#### **5.16.3 Bidding for properties prior to discharge:**

Applications from members of the Armed Forces will be subject to the same conditions as those from households leaving an institution (see paragraph 5.15). Bereaved spouses who must leave forces accommodation will be awarded preference for insecurity of tenure and any other housing need that they have. Applicants are eligible to bid from the date of acceptance on the housing register.

#### **5.16.4 Applicants who are injured or vulnerable or as a result of being in the Armed Forces:**

Former members of the armed forces whose medical condition is adversely affected by their current accommodation will be eligible for preference (see paragraphs 17.2.1 and 17.2.4).

In the allocation of properties with adaptations, applicants with a need for those adaptations are given preference over those without such a need (see paragraphs 7.3 and 10.).

Vulnerable applicants are awarded preference if they do not have the skills or ability to find their own home without help and there is no other person in the household who could be expected to do so (see paragraph 17.2.6).

#### **5.17 Prospective adoptive or foster parents**

Where an applicant has the need for extra bedroom(s) in order to comply with the requirements for adopting or fostering their application will be referred to senior officers of the NHHP for a

decision on whether they will be awarded preference for lacking a bedroom(s).

Applicants will be informed, in writing, of the decision and the reason for the decision.

#### **5.18 Households in employment**

An additional three points will be awarded where one or more of the applicants are in paid employment or have been in paid employment within the past two years.

Applicants who gain paid employment subsequent to making their application will be awarded an additional three points provided they notify the NHHP of their change of circumstances.

Any preference awarded to households in employment will be removed once two years has passed from the date of their last paid employment.

Applicants will be required to provide evidence of any period of employment such as pay slips or tax returns.

#### **5.19 Changes in circumstances**

Applicants must inform the partner to which they made their application in writing of any changes to the information provided in their original application. Applicants will be required to provide evidence of any such changes.

A change in circumstances may affect the applicant's entitlement to preference and/or the type and size of property they will be considered for. Following notification of a change in circumstances, the applicant will be provided with written confirmation of any change in their entitlement under the scheme.

#### **5.20 Home visits**

An officer of the NHHP may visit an applicant in their home, prior or subsequent to authorising them for an offer of accommodation, to check that their housing circumstances are as set out in their application. Applicants should be aware that a failure to facilitate a home visit within the given timescale may result in them being bypassed for an offer of a tenancy.

Applicants are required to give officers access to all parts of their home.

#### **5.21 Right to access information**

On request, applicants will be provided with information on the preference awarded to them under the Common Housing Allocation Scheme.

Under the terms of the Data Protection Act, applicants can make a written request for personal information held either on computer or manual files that does not identify any other person that has not consented to the disclosure. A minimum fee of £10.00 may be charged for this service.

## **6. CHOICE BASED LETTINGS – HOME4U**

Under the Choice Based Lettings scheme, when a property becomes available it is advertised through the Home4U website.

The advertisement for the property will include:

- the location of the property;
- physical characteristics of the property such as type, number of bedrooms and floor level;
- the weekly/monthly rent and any service charges applicable;
- eligibility criteria;
- restrictions on households to whom an offer will be made;
- details of any adaptations;
- a photograph of the property or a similar property.

Applicants are invited to 'bid' for properties that they are interested in. The deadline for making a bid will be included in the advertisement and bids received after that date will not be considered.

Bids made by an applicant's representative, (who may be an NHHP officer), will be accepted provided the NHHP has the written consent of the applicant.

Those who are eligible and meet the advertised criteria will be short listed and up to five bidders, with the highest preference on the Common Housing Register, will be invited to view the property. Following the viewing, applicants will be required to confirm whether or not they want to be considered for the property. The property will be offered to the applicant with the highest preference on the register of those who wish to be considered. Should a situation arise where two or more interested applicants have equal preference, the applicant with the most needs points will be offered the property.

If two or more applicants have the same needs points the offer will be made to the applicant who has been on the register the

longest.

## **6.1 Support for potentially disadvantaged applicants**

Choice based lettings requires applicants to actively participate in choosing their accommodation. Some applicants may find such participation more difficult than others. Assistance in making an application and with making bids will be provided, free of charge, to ensure that such applicants are not at a disadvantage.

Assistance will be provided at an appropriate level to the applicant's needs by NHHP officers and/or statutory and voluntary support and advice agencies. This may include bids being made on behalf of the applicant where the NHHP has the applicant's written permission to accept/make such bids.

## **6.2 Guidance on Choice Based Lettings**

User guidance on participating in the Home4U choice based lettings scheme will be provided to all applicants. The user guide is also published on the Home4U website [www.home4u.org.uk](http://www.home4u.org.uk)

## **7. PROPERTIES SUBJECT TO RESTRICTED ELIGIBILITY CRITERIA**

In some circumstances, eligibility criteria for a property will be restricted to households that meet specific criteria. Restrictions may apply to:

- properties subject to a local lettings policy;
- properties situated on rural exception sites;
- properties subject to an agreement under Section 106 of the Town and Country Planning Act 1990; and
- accessible properties suitable for people with a disability.

A proportion of one and two bedroom properties will be advertised solely for social housing tenants in North Herts who have had their housing benefit entitlement reduced as a result of under-occupancy. Such properties will only be allocated to tenants who meet the criteria for receiving preference on the housing register as set out in the NHHP policy on under-occupation and housing benefit reduction.

### **7.1 Local Lettings Policies**

In some circumstances, properties may be reserved to fulfil an identified housing need. There may also be instances where there is a need to ensure a mixed, balanced and sustainable community. In these circumstances, the criteria of the local lettings policy will be detailed in the advertisement and only

applicants who meet the criteria will be eligible to bid. Applicants who make a bid and meet the advertised criteria, will be short listed in order of the amount of preference that they have on the housing register. A maximum of five applicants, with the highest preference on the Common Housing Register, will be invited to view the property. Following the viewing, applicants will be required to confirm whether or not they want to be considered for the property. The property will be offered to the applicant with the highest preference on the register of those who wish to be considered.

Copies of local lettings policies in operation will be published on the landlords' websites.

## **7.2 Rural schemes**

Where there are legal restrictions on letting properties in rural housing schemes these will be taken into account when making allocations. To meet the local connection criteria for such a scheme, applicants will need to demonstrate a local connection (see paragraph 18.1) with the Parish in which the scheme is located rather than the district. The criteria for rural schemes will be detailed in the advertisement and only applicants who meet the criteria will be eligible to bid. Applicants who make a bid and meet the advertised criteria, will be short listed. The bidders with the highest preference on the housing register will be invited to view the property. Following the viewing, applicants will be required to confirm whether or not they want to be considered for the property. The property will be offered to the applicant with the highest preference on the register of those who wish to be considered.

## **7.3 Accessible properties**

When advertised accessible properties will be labelled according to any adaptations provided in the dwelling. Bids from households that include a person with a need for such adaptations may take priority over those from households without such a need, regardless of their position on the Common Housing Register.

## **8. PROPERTY SIZE**

For the purpose of awarding preference on the housing register, households will be eligible for one bedroom for:

- every adult couple (married or unmarried);
- any other adult aged 16 or over;
- any two children of the same sex aged under 16;
- any two children aged under 10;

- any other child, (other than a foster child or child whose main home is elsewhere);
- a carer (or team of carers) who do not live with the household but provide overnight care for the tenant and/or their partner.

For the purpose of allocation, households with two children under 16 are permitted to bid for and be allocated to both two and three bedroom properties. Nevertheless, before bidding for three bedroom properties such households should be aware that, unless their children are of opposite sexes and at least one is over 10 years of age, they will only be eligible for Housing Benefit for a two bedroom property. Hence, for Housing Benefit purposes such households will be considered to have more bedrooms than the household needs and will be expected to meet 14% of the rent from sources other than Housing Benefit. In these circumstances, applicants will be advised on the rent and any other charges on the property and the effect of under-occupancy on their entitlement to Housing Benefit. The applicant will then be responsible for deciding if the property is affordable to them.

Properties with more than three bedrooms are scarce and, households requiring larger properties may bid for properties that do not provide the above bedroom standards. In these circumstances, the property must provide a minimum of one bedroom for:

- each co-habiting couple or lone parent;
- each adult aged of 21 years or over;
- each pair of children of the same sex aged 10 to 20 years;
- each unpaired person aged 10 to 20 paired with a child under 10 of the same sex;
- each pair of children under the age of 10 regardless of sex;
- each unpaired child.

In properties with a self-contained dining room, the dining room may be counted as a bedroom where the size of the households deems it necessary.

An unborn child will be taken into account for allocation purposes when the mother reaches her sixth month of pregnancy.

## **8.1 Sheltered Housing/Retirement Living**

The majority of units in sheltered housing/Retirement Living are self-contained one bedroom flats suitable for either couples or single applicants or studio flats which are only suitable for single person households. Such housing is available for single or couple households that include a person aged 55 or over with a support need.

## 9. PROPERTY TYPE

The type of property that an applicant is eligible to bid for is limited by the characteristics and composition of the household. Unless there are extenuating circumstances the following restrictions apply:

<b>Property type</b>	<b>Available to</b>
Studio flat	A single person household
Flat	All
Maisonette	All
Bungalow	May be restricted to households that includes a person age 55 or over and/or with a medical recommendation for ground floor accommodation
Sheltered/Retirement Living accommodation	A single person aged 55 or over or couple in which at least one partner aged 55 or over
House	A household with one or more resident children under the age of 18 at the time of bidding*
Adapted property	A household with a need for adaptations

\* In the case of separated parents staying access will not normally be taken to amount to residence.

## 10. HOUSHOLDS WITH A NEED FOR AN ADAPTED /ACCESSIBLE PROPERTY

### 10.1 Accessible/adapted properties

When a property with adaptations becomes available, the landlord will make a decision on whether to leave the adaptations in place. The decision will be made after taking into consideration:

- the type of adaptations; and
- the age and condition of the adaptations; and
- the demand for such adaptations.

Bids from households with a need for the adaptations may take priority over those from households without such a need. (see paragraph 7.3).

To ensure that the property is suitable or can be made suitable within a reasonable amount of time and at reasonable cost, short listed applicants with a need for adaptations will be invited to view the property accompanied by an occupational therapist. Should it not be possible to make the property suitable for the household the offer may be withdrawn. In these circumstances the applicant may request a review of the decision to withdraw the offer (see paragraph 14.).

## **10.2 Properties without adaptations**

Households with a need for adaptations may bid for properties without adaptations. Bids will be short listed in the usual way (see paragraph 6.).

To ensure that the property can be made suitable within a reasonable amount of time and at reasonable cost, applicants with a need for adaptations will be invited to view the property accompanied by an occupational therapist. Should it not be possible to make the property suitable for the household the offer may be withdrawn. In these circumstances the applicant may request a review of the decision to withdraw the offer (see paragraph 14.).

Applicants with a need for adaptations who accept a property that requires adaptations to be carried out may be required to commence the tenancy before the adaptations have been made. The applicants will be provided with an estimate of the timescale for completing the adaptations. If this is unacceptable to the applicant, the offer will be withdrawn. In these circumstances the applicant may request a review of the decision to withdraw the offer (see paragraph 14).

## **11. LANDLORDS**

North Hertfordshire Homes and Howard Cottage Housing Association are the two social landlords with the most property in the North Herts. However, the Council has nomination rights to properties within the district owned by a number of other social landlords (see Annex C). Properties to which the Council has nomination rights will be let through the Choice Based Lettings Scheme according to the criteria of the Common Housing Allocation Scheme. Details of the landlord to which an advertised property belongs will be included in the description of the property.

### **11.1 Refusal of a Nominee by a Private Registered Provider of social housing**



PRPSHs may have eligibility/qualification criteria that differ from those of the Common Housing Allocation Scheme. In these circumstances, the PRPSH may refuse a nomination because the nominee does not meet their criteria. The PRPSH will be required to provide the Council with the reasons for any refusal of a nomination in writing and confirm that the refusal is within the terms of their published policies.

If the Council is satisfied that the applicant does not meet the eligibility/qualification criteria for the allocation, the nomination will be withdrawn.

**12. PETS**

Applicants are advised that there are some properties/schemes that do not allow pets. Applicants who wish to keep pets should not bid for such properties.

**13. REVIEW OF APPLICATIONS TO THE COMMON HOUSING REGISTER**

Applications to the Common Housing Register will be reviewed periodically. Applicants will be contacted in writing and required to confirm that their circumstances have not changed and that they wish to remain on the Common Housing Register. Applicants who fail to respond to the review will have their application cancelled.

Where an application has been cancelled, the applicant has a right to request a review of the decision (see Paragraph 14).

**14. THE RIGHT TO REQUEST A REVIEW**

Applicants have the right to request a review of the following decisions:

- that the applicant is ineligible for the common housing register:  
or
- that the applicant does not qualify for inclusion on the Common Housing Register; or
- that the applicant is ineligible for an allocation to; or
- that the applicant does not qualify for an allocation;
- that the application should be by-passed;
- that the household's application has been cancelled.

Applicants may also request a review concerning the *facts* of their case which are likely to be, or have been, taken into account in considering whether to allocate accommodation. This includes decisions about:

- the type of property that the applicant will be considered for;
- the extent of the applicant's household to be considered for housing with him or her;
- the applicant's medical condition or other welfare needs;
- other facts used to determine whether the applicant is entitled to a reasonable preference;
- whether the applicant should receive additional preference on the grounds of high housing need; and

Applicants should make their request for a review to the partner to which they made their application. A request for a review should be made within 21 days of receiving notification of the decision. An applicant or their representative should submit written representations in support of their review with their request.

The review will be carried out by officers of one of partner organisations that were not responsible for the original decision. Reviewing officers will be senior to the officer who made the original decision and will not have been involved in making the original decision. In conducting the review, all relevant matters will be taken into consideration and further enquiries will be made if necessary. The applicant will be notified of the decision and the reasons for it in writing within eight weeks of receipt of the request for a review.

Full details of the review procedure will be made available on request.

If an applicant is not satisfied with the review decision they can make a complaint to the Housing Ombudsman or the Local Government Ombudsman or apply for judicial review.

## **15. COMPLAINTS**

Applicants with a complaint about the way their application has been administered should address their complaint to the partner to which they made their application. The procedures for making a complaint will be made available on request and are published on the partners' websites.

## **16. CONFIDENTIALITY**

Any information provided by the applicant will not be divulged to others without the consent of the applicant. To enable the Partnership to make any necessary inquiries, the applicant will be asked to give their permission for information pertaining to their application to be shared when necessary. Information will only be shared in support of the application, to prevent or detect fraud or in the referral of a household that includes a vulnerable person at risk to Social Services.

## **17. HOUSING NEEDS**

Applications from households with a housing need will receive reasonable preference under the Common Housing Allocation Scheme. Households will be deemed to have a housing need if they:

- are homeless as defined in part vii of the housing act 1996 (see paragraph 5.13); or
- are owed a statutory duty by any local housing authority because they are homeless or threatened with homelessness and in priority need; or
- occupying unsanitary or overcrowded housing or otherwise living in unsatisfactory housing (see paragraph 17.1 to 17.1.9); or
- need to move on medical or welfare grounds (see paragraph 17.2 to 17.2.7; or
- would suffer hardship if they do not move (see paragraph 17.4).

### **17.1 Households occupying unsanitary or overcrowded housing or otherwise living in unsatisfactory housing**

A household will be deemed to have a housing need due to occupying unsanitary or overcrowded housing or otherwise living in unsatisfactory housing in the following circumstances:

#### **17.1.1 Living in accommodation that is in poor condition**

Where the physical condition of a dwelling is such that the occupant(s) and/or visitors who make a necessary contribution towards the occupant's wellbeing, are at an unacceptable risk of accidents and/or ill health, preference will only be awarded where other remedies have been investigated and eliminated.

Owner occupiers and tenants with relevant repair obligations who have sufficient resources, including any financial assistance to which they may be entitled, to remedy the hazard(s) and choose not to do so will be deemed to have sufficient resources to meet their own housing need. Resources include funds that can affordably be secured through an equity release scheme or a loan. In these circumstances, should a child or other vulnerable person be at risk, Social Services will be notified and the Council may take enforcement action against the responsible person(s).

Where an applicant and members of his/her household are unable to occupy the dwelling for a period while remedial work is carried out and no alternative accommodation is available to them, the Council will provide them with housing advice and assistance and

fulfil any other duty that may be owed to them under homelessness legislation.

Applicants with insufficient resources to remedy the hazard who must leave their accommodation permanently, will be awarded preference on the housing register.

### **17.1.2 Living in accommodation that is too big for the household**

A household will be deemed to live in unsuitable housing if they are tenants of social rented housing within the district who are under-occupying. Preference will be awarded where applicants are in properties with two or three bedrooms and are willing to move to a one-bedroom property; or living in four or five bedroom properties or three bedroom properties with two self-contained reception rooms who are willing to move to a smaller property. In these circumstances, households are eligible for properties that are larger than the household would normally be eligible for under the terms of the Common Allocation Scheme (see paragraph 8).

Households in receipt of Housing Benefit whose entitlement does not meet the full rent because they have a spare bedroom, may be awarded preference. In these circumstances, preference will only be awarded if the household meets the criteria set by members of the NHHP in their policy on under-occupation and housing benefit reduction.

### **17.1.3 Living in accommodation that either does not have enough bedrooms or has bedrooms that are too small for the household**

Households in rented accommodation will be awarded preference on the Common Housing Register if their current housing does not have enough bedrooms (see paragraph 8) or the bedrooms are too small for the occupants. Households will be evaluated on a 'best fit' basis, i.e. the assessment will take account of the amount and size of the bedrooms in the property and the composition of the household, not who is actually occupying each room.

Where a household has sufficient bedrooms but the rooms are too small, they will be awarded preference on the Common Housing Register. In circumstances where a bedroom is unacceptably small the household will be deemed to be lacking a bedroom.

The table below give details of how bedroom sizes are assessed:

<b>Bedroom size</b>	<b>Occupant(s)</b>	<b>Lacking a bedroom</b>	<b>Too small</b>	<b>Adequate</b>
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Less than 48 sq ft	Any occupancy	✓		
	Child under 10		✓	
	Person over 10	✓		
	More than one person	✓		
	Child under 10			✓
	Person over 10		✓	
	More than one person	✓		
	One person			✓
	Child under 10 sharing with one other person of any age		✓	
	Two people	✓		
	Child under 10 sharing with one other person of any age			✓
	Two people over 10		✓	
110 sq ft or over	Up to 2 people of any age			✓

Where preference for lacking a bedroom is awarded because a bedroom is too small, the household may bid on a property with the same number of bedrooms as their current property. In these circumstances, bids may be bypassed if the property is not within the size criteria for the household, (see paragraph 8.).

### **Single person household in bedsits/studio flats**

Single person households who have lived in a bed-sit or studio flat for three years within the district, as tenants, and wish to move to a one bedroom flat, will be awarded preference.

**17.1.4 Living in supported accommodation and no longer has a need for the level of support provided.**

**17.1.5 Living in accommodation with children under the age of six that is above the ground floor and/or children under the age of 11 without access to a secure garden**

### **17.1.6 Living in accommodation with limited security of tenure**

Applicants will be deemed to have limited security of tenure where the NHHP is satisfied that they can legally be evicted without the need for a ground for possession being proved in court or where the nature of the applicant's occupancy excludes them from the terms of the Protection from Eviction Act 1977. Applicants in social housing on a fixed term tenancy will be deemed to have limited security of tenure if they are within 12 months of the end of the fixed term.

#### **Examples of limited security of tenure are: -**

- assured shorthold tenancy;
- non-secure tenancy;
- licence;
- sharing accommodation with a resident landlord;
- sharing accommodation with a member of their family; and
- households leaving services family accommodation following the death of their spouse or civil partner
- unauthorised occupancy

Households that are placed in temporary accommodation by a local authority under its homelessness legislation duties are not eligible for preference for limited security of tenure.

### **17.1.7 Households sharing facilities with other households**

This applies where the applicant and his household share facilities with others who are not included in their application.

### **17.1.8 Leaving an institution with no suitable accommodation to return to (see paragraph 5.15)**

### **17.1.9 Living in a social sector adapted property in North Herts with no need for the adaptations**

## **17.2 Households that need to move on medical or welfare grounds**

A household will be deemed to have a housing need on medical or welfare grounds in the following circumstances:

### **17.2.1 The applicant or a member of their household has a medical condition or disability that is adversely affected by their current housing and this would be improved by moving to a different property.**

An applicant who considers that he/she or a member of their household has a medical reason for moving should complete a

self-assessment medical form. The NHHP's Medical Advisor will make a recommendation on the level of priority, if any, the application should receive. The medical advisor may also make a recommendation on the type and location of accommodation and any special aids or adaptations necessary. NHHP officers will take account of the recommendations of the Medical Advisor when making the decision on whether medical priority should be awarded.

Where a household is deemed to have a medical need for moving, medical priority will be awarded in addition to any already recognised housing need. For instance, a household that lacks a garden for a child under the age of 11 years is placed in band C. Should a member of the household be deemed to have a medical need for a garden, the appropriate medical preference will be also awarded to the household. An exception may apply to applicants who are vulnerable due to a medical need (see paragraph 17.2.6)

Where applicable, medical priority may only be awarded on the understanding that the applicant will accept the type of property recommended.

Medical priority will be given in the following circumstances:

### **17.2.2 High medical priority**

High medical priority will only be granted in circumstances whereby:

- the applicant or a member of their household has a long-term/permanent medical condition or disability that prevents them gaining access to their property or to basic facilities within the property or;
- the medical condition of the applicant or a member of his/her household may lead to danger to life and limb if they are not re-housed; or
- the applicant has an urgent need to move to suitably adapted accommodation because of a serious injury, medical condition or disability which he or she or a member of their household has sustained as a result of service in the Armed Forces.

Such priority will only be awarded where other remedies such as a Disabled Facilities Grant have been investigated and eliminated.

### **17.2.3 Medium medical priority**

Medium medical priority will be granted in circumstances whereby:

- the applicant or a member of his/her household has a long-term/permanent medical condition that causes them serious

difficulty in gaining access to their property or to basic facilities within their property or;

- the applicant's continued occupation of their current property is likely to cause a significant deterioration to their health or the health of a member of the household.

Such priority will only be awarded where other remedies such as a Disabled Facilities Grant have been investigated and eliminated.

#### **17.2.4 Low medical priority**

Low medical priority will be awarded in circumstances whereby:

- the applicant or a member of his/her household has a long-term/permanent medical condition that diminishes their ability to gain access to their property or to basic facilities within their property; or
- the applicant's continued occupation of their current property is likely to cause deterioration to their health or the health of a member of their household.

Such priority will only be awarded where other remedies such as the Disabled Facilities Grant have been investigated and eliminated.

#### **17.2.5 The applicant or a member of his or her household need to move to give or receive care**

In these circumstance, the applicant will be awarded preference in line with the medical priority awarded to the person in need care. Applicants who need to move to be close to a hospital or other essential service are included in this category.

Preference will only be awarded after other remedies have been investigated and eliminated.

#### **17.2.6 The applicant is vulnerable and cannot be expected to find their own accommodation.**

Preference is awarded to applicants with a housing need who are vulnerable through no fault of their own and cannot be expected to find their own accommodation because they do not have the skills and ability to find and keep a home without help. Such preference will not be awarded if there is another person in the household who could be expected to find accommodation on the vulnerable person's behalf. Nor will it be awarded if the vulnerability has secured the applicant preference for another reason e.g. the applicant has been awarded medical preference or they have been awarded priority need status when making a homelessness application because of the vulnerability.



Examples of applicants that may be deemed to be vulnerable include:

- care leavers;
- people with learning difficulties;
- people with mental health problems;
- people with behavioural difficulties;
- people whose ability to fend for themselves is restricted for other reasons.

#### **17.2.7 The household includes an applicant aged over 55 and requires sheltered housing/Retirement Living**

Sheltered housing/Retirement Living is available to single applicants aged over 55 or couples in which one of the applicants is over the age of 55. To be eligible the applicant must have a support need that can be met in sheltered housing/Retirement Living.

#### **17.3 Households that would suffer hardship if they do not move**

Households will be included in this category if:

- they need to move to take up education or employment and they would suffer significant hardship if they do not do so;
- they need to move to recover from the effects of violence, harassment or abuse;
- there are other reasons why they would suffer significant hardship if they do not move.

#### **PREFERENCE**

Applicants accepted on the Common Housing Register will be assessed and awarded preference according to housing need and placed in the appropriate preference band.

There are three preference bands:

- Band A – High Preference.
- Band B – Medium Preference.
- Band C – Low Preference

Applicants will be placed in the highest band that their housing need qualifies them for.

Applicants will be notified in writing of the preference that they are awarded. Where an applicant is not awarded any preference, they will be notified of the reasons for this decision.

## **18.1 Local Connection**

An applicant will be deemed to have a local connection if s/he:

- has been continuously resident by choice in the district for the last 12 months; or
- has been resident, by choice, in the district for 3 out of the last 5 years; or
- is a current or former member of the Armed Forces and the application is made within five years of discharge; or
- is the bereaved spouse or civil partner of a member of the armed forces leaving service family accommodation following the death of their spouse or partner; or
- has an immediate family member, (this would normally be their mother, father, brother, sister, or adult child), resident in the district. their residency must be by choice and have been so for a minimum of 5 years; or
- has permanent employment in the district; or
- is a former asylum seeker who has occupied accommodation provided by NASS in the district; or
- has another special reason why they need to live in the district.

An applicant who is in an institution will be deemed to have a local connection if they satisfied the above criteria prior to entering the institution or have no local connection to any other local housing authority area.

An applicant for sheltered housing/Retirement Living is not required to have a local connection. However, applicants for sheltered housing/Retirement Living with a local connection will be awarded an additional three points.

## **18.2 Discretionary awards of preference**

The Common Housing Allocation Scheme cannot cover every eventuality. Where there are exceptional circumstances, senior officers of the NHHP have the delegated discretion to make decisions on whether an applicant qualifies for inclusion on the Common Housing Register, the level of preference, if any, to be awarded to an applicant, whether an offer of housing should be made.

In making such decisions officers will:

- act rationally and fairly;
- take account of relevant housing and social need of the applicant and their household;
- consider the needs of the community;
- ignore irrelevant factors;

- not penalise people for events which are not deemed to be their fault;
- look at the circumstance as to why arrears have arisen;
- take account of whether the person responsible for the arrears or anti-social behaviour has left the household;
- not exclude people from the Common Housing Register indefinitely and advise when they are able to reapply;
- not act on subjective judgement and unproven allegation;
- have regard for the public sector equality duty to foster good relationships and eliminate discrimination; and
- make clear and well informed decisions.

## **19. BANDING CRITERIA**

### **19.1 Band A - High Preference**

High preference will be awarded where applicants or a member of their household:

- has been awarded high medical priority because of an high need to move due to a permanent medical condition or a disability and other remedies such as the disabled facilities grant have been investigated and eliminated;
- has an urgent need to move to provide care to a person who has a high medical priority because of a permanent medical condition or a disability or such a person needs to move to receive care and other remedies have been investigated and eliminated;
- is under-occupying social rented housing in the district (see paragraph 17.1.2);
- is a tenant of social housing in the district and has had their housing benefit entitlement reduced as a result of under-occupancy **and** they meet the criteria set out in the NHHP policy on under-occupation and housing benefit reduction (see paragraph 17.1.2);
- a senior officer of the NHHP has decided that a household has cumulative housing needs so great as to necessitate an urgent move;
- is a tenant of NHH or HCHA and is being permanently decanted from their home. In these circumstances, preference will be awarded for a limited period after which the NHHP will make a direct offer (see paragraph 22.2).

### **19.2 Band B – Medium Preference**

Medium preference will be awarded where:

- a Household has been accepted as homeless or threatened with homelessness and in priority need and is owed the full

housing duty by North Hertfordshire District Council, unless they are placed in temporary accommodation which is designated for a special needs client group;

- the applicant needs to move and is vulnerable and cannot be expected to find their own accommodation and there is no other person in the household who could be expected to do so on their behalf;
- a member of the household has been awarded medium medical priority;
- there is a need to move to provide care to a person who has a medium medical priority because of a permanent medical condition or a disability or such a person needs to move to receive care and other remedies have been investigated and eliminated;
- the applicant is in supported accommodation within the district and is ready to move into general needs housing;
- the applicant has been accepted as homeless and in priority need and is owed the full housing duty by North Hertfordshire District Council and was placed in supported accommodation outside the district, in discharge of duties owed to them under homelessness legislation, and is ready to move into general needs housing;
- households living in accommodation that is in such poor condition that it poses an unacceptable risk of accidents and/or ill health;
- households that include a dependent child or a vulnerable adult that require another bedroom according to the terms of the Common Housing Allocation Scheme;
- households living in self-contained one bedroom accommodation that include two children of the same sex with an age difference of less than five years;
- households with dependent children or a vulnerable adult sharing facilities with another household;
- the household is in social rented housing in North Herts that has adaptations which are not needed by the household.

### **19.3 Band C – Low Preference**

Low preference will be awarded where:

- a household with no dependent children or vulnerable adults is sharing facilities with another household;
- statutory homeless households who are not owed a duty to accommodate by North Herts District Council under the terms of the Housing Act 1996;
- the applicant has been accepted as unintentionally homeless and in priority need and placed in supported accommodation by North Hertfordshire District Council. In these circumstances

the applicant will not be awarded any additional needs points until they are ready to move into general needs housing;

- a household that has been accepted as homeless or threatened with homelessness and in priority need by any local housing authority other than North Hertfordshire District Council;
- the applicant or a member of his or her household has been awarded low medical priority;
- there is a need to move to provide care to a person who has a low medical priority because of a permanent medical condition or a disability or such a person needs to move to receive care and other remedies have been investigated and eliminated;
- the household does not include children or vulnerable adults and they require another bedroom under the terms of the Common Housing Allocation Scheme;
- the household is occupying a property in which a bedroom is too small;
- single person households who have lived in a bed-sit or studio flat for three years within the district, as tenants, and wish to move to a one bedroom flat
- couples living in a bed-sit or studio flat;
- children under the age of 6 or pregnant women are living in flats above the ground floor;
- children under the age of 11 who do not have access to a secure garden;
- there is a need to move to avoid hardship;
- households are in accommodation with limited security of tenure;
- the applicant is in an institution and has no suitable accommodation to return to;
- applicants are over 55 years of age with a support need and require sheltered housing/Retirement Living.

## **20. CUMULATIVE NEED**

To ensure that the cumulative housing need of applicants is taken into account, applicants who have more than one housing need will be awarded additional needs points. Needs points will be awarded as follows:

- 10 points for housing needs awarded high preference (Band A)
- 6 points for housing needs awarded medium preference (Band B)
- 3 points for housing needs awarded low preference (Band C)

Needs points will be awarded for every additional housing need. For example a household in band B because they require an extra bedroom will receive an additional 6 points if they require two

extra bedrooms. The household would attract another 3 points if they have a tenancy with limited security (band C).

## **21. WAITING TIME**

Households will be awarded one point for every month that they spend on the Common Housing Register.

## **22. OFFERS OF ACCOMMODATION**

Available properties will be advertised and applicants invited to 'bid' for the property of their choice (see paragraph 6.). Bidders will be short listed in order of the amount of preference that they have on the housing register. A maximum of five applicants, with the highest preference on the Common Housing Register will be invited to view the property. Following the viewing, applicants will be required to confirm whether or not they want to be considered for the property. Of those who wish to be considered, the property will be offered to the applicant with the highest preference on the register.

Applicants who have been offered a property will not be considered for other properties until they have made a decision on the offer. Should an applicant be at the top of more than one shortlist, they will be required to make a decision on which property they prefer.

The applicant will have a limited time period to notify the NHHP of whether they will accept an offer.

Vulnerable households may be permitted a longer period to decide whether or not to accept a property to allow them time to liaise with support and advice agencies. In these circumstances, the amount of time that the applicant will be given will be made on a case by case basis.

If the applicant refuses the offer or fails to respond within the given time, the property will be offered to the applicant with the next highest preference on the Common Housing Register. This process will be followed until the property is successfully allocated.

An exception to this process will apply where:

- the allocation is deemed unsuitable because the applicant or a member of their household poses a risk to themselves, individuals or other members of the community which, cannot safely be managed in the available property;
- the applicant is 16 or 17 years of age and has no guarantor (see paragraph 5.9);

- the applicant has been assessed as ineligible for an allocation (see paragraph 5.4);
- the applicant does not qualify for inclusion on the Common Housing Register (see paragraph 5.4)
- the eligibility criteria for the property is restricted and the applicant does not meet the criteria (see paragraphs 7. to 7.3);
- the applicant is in supported accommodation and not considered ready to move to general needs accommodation by his/her support provider; or
- there is another special reason why a particular property cannot be offered to the bidder with the highest preference.

In these circumstances, the applicant may be by-passed for an allocation. Where a decision is made to by-pass an applicant for an offer of accommodation due to any of the reasons listed above, the applicant will be notified of the decision and the reasons for it in writing. The applicant may request a review of such a decision (see paragraph 14)

## **22.1 Homeless households**

Homeless households accepted by NHDC as owed a duty to accommodate under section 193 of the Housing Act 1996, may be made a direct offer of a tenancy in either private or social rented accommodation. Such offers will only be considered after six months has passed since the section 193 duty was accepted. An exception to this will apply to homeless households placed in supported accommodation by NHDC. These applicants will be considered for a direct let six months after they have been assessed as ready to move to general needs housing.

Homeless households who refuse a final offer of suitable accommodation made by NHDC in discharge of their duties under the Housing Act 1996, will be removed from the housing register. In these circumstances, the household may make a new application to the housing register. Preference will be awarded on the basis of any housing need that the household would have should they have accepted the final offer.

## **22.2 Direct offers**

In making a decision on whether to make a direct offer the individual circumstances of the household, their housing needs and the reason why no successful bid has been made, will be taken into consideration.

When making a direct offer, bids for suitable properties will be made on behalf of the applicant by an officer of the NHHP. Applicants will retain the right to make their own bids. Applicants may not remove bids made on their behalf by NHHP officers.

Additionally, bids made by applicants may be removed by NHHP officers and replaced with a bid on a property for which the bid is more likely to result in an offer of accommodation. Where a bid, whether made by the applicant or the NHHP, is successful the property will be offered to the household.

Direct offers made to statutory homeless households will be final offers. In these circumstances, should the offer be refused, the household may be required to leave any temporary accommodation that they are occupying in discharge of the Council's duty under part VII of the Housing Act 1996.

### **22.3 Withdrawing offers of accommodation**

The NHHP reserves the right to withdraw an offer of accommodation if there has been a change in the circumstances of the applicant which have not been notified to the partnership and such changes result in a reduction in the applicant's preference such that the offer is no longer applicable.

### **22.4 Feedback on lettings**

To assist applicants to make informed choices on future bids, details of the banding and points levels of the applicants to whom successful lettings are made will be published by the NHHP.

## **23. SUPPORT WITH SUSTAINING A TENANCY**

The NHHP will ensure that vulnerable households are provided with the support they need to sustain their tenancy. Such support may be provided by the NHHP, North Hertfordshire Homes Floating Support Service and/or dedicated support agencies.



## Annex A

Approximate number of social rented properties in North Hertfordshire by area, size and type

	Studios	Flats				Maisonettes				Houses						Bungalows			
		1 bed	2 bed	3 bed	All	1 bed	2 bed	3 bed	All	1 bed	2 bed	3 bed	4 bed	5 bed	All	1 bed	2 bed	3 bed	All
<b>Urban areas</b>																			
Letchworth, Jackmans	4	105	137	29	271	-	8	-	8	1	21	435	14	-	471	88	7	-	95
Letchworth, Grange	43	111	42	4	157	-	82	18	100	-	232	311	-	-	543	9	5	1	15
Letchworth, Westbury	-	-	32	-	32	-	-	-	0	-	71	292	30	-	393	2	3	-	5
Letchworth, Wilbury	-	60	24	-	84	-	-	-	0	3	34	469	13	-	519	35	27	50	112
Letchworth, Pixmore	-	52	40	1	93	-	21	-	21	-	119	266	8	-	393	14	7	1	22
Letchworth, Standalone	-	129	-	-	129	-	-	-	0	-	1	49	2	-	52	26	37	4	67
Letchworth, Norton	3	126	31	-	157	-	-	-	0	1	70	166	2	-	239	-	-	-	0
Hitchin, Highover	-	60	17	-	77	-	-	-	0	-	1	105	6	-	112	-	-	-	0
Hitchin Central	10	46	38	8	92	-	-	-	0	-	35	67	6	-	108	1	1	-	2
Hitchin, Purwell & St Michaels Mount	-	109	5	-	114	-	-	-	0	-	2	266	6	-	274	3	6	-	9
Hitchin, Westmill	15	190	192	14	396	-	31	4	35	-	115	356	8	1	480	11	9	-	20
Hitchin, Sunnyside	-	29	27	-	56	-	-	-	0	-	2	93	1	-	96	3	5	-	8
Hitchin, Triangle	-	42	4	-	46	-	-	-	0	-	27	17	1	-	45	4	-	-	4
Baldock	11	22	52	-	74	-	-	-	0	15	66	406	13	2	502	6	21	1	28
Royston	-	60	56	1	117	-	-	-	0	4	96	357	45	-	502	32	7	-	39
<b>Rural areas</b>																			
Ashwell	1	3	15	-	18	-	-	-	0	-	8	31	-	-	39	1	9	-	10
Barkway	-	-	-	-	0	-	-	-	0	-	4	12	-	-	16	-	21	-	21
Barley	-	-	-	-	0	-	-	-	0	-	9	19	-	-	28	6	10	-	16
Breachwood Green	-	-	-	-	0	-	-	-	0	-	2	28	-	-	30	-	7	-	7
Bygrave	-	-	-	-	0	-	-	-	0	-	-	1	-	-	1	-	-	-	0
Clothall	-	-	-	-	0	-	-	-	0	-	-	4	-	-	4	-	-	-	0
Cockenhoe	-	2	-	-	2	-	-	-	0	-	9	35	2	-	46	-	6	-	6
Codicote	-	-	27	-	27	-	-	-	0	-	6	62	3	-	71	-	29	-	29
Graveley	-	6	-	-	6	-	-	-	0	-	7	24	-	-	31	-	10	-	10
Great Ashby	-	19	6	-	25	-	-	-	0	-	25	30	13	-	68	-	-	-	0
Hinxworth	-	-	-	-	0	-	-	-	0	-	-	2	-	-	2	-	4	-	4
Holwell	-	-	-	-	0	-	-	-	0	-	18	29	-	-	47	2	4	-	6
Ickleford	-	4	28	-	32	-	-	-	0	-	19	62	2	-	83	10	23	3	36
Kelshall	-	-	-	-	0	-	-	-	0	-	2	-	-	-	2	2	-	-	2
Kimpton	-	1	8	-	9	-	11	-	11	5	10	52	1	-	68	-	27	-	27
Knebworth	7	3	47	-	50	-	28	4	32	-	10	84	1	-	95	1	61	-	62

	Studios	Flats				Maisonettes				Houses						Bungalows			
		1 bed	2 bed	3 bed	All	1 bed	2 bed	3 bed	All	1 bed	2 bed	3 bed	4 bed	5 bed	All	1 bed	2 bed	3 bed	All
Langley	-	-	-	-	0	-	-	-	0	-	-	4	-	-	4	-	4	-	4
Lilley	-	-	-	-	0	-	-	-	0	-	1	14	4	-	19	2	2	-	4
Newnham	-	-	-	-	0	-	-	-	0	-	-	2	-	-	2	-	-	-	0
Nup End	-	-	-	-	0	-	-	-	0	-	-	6	-	-	6	-	-	-	0
Offley	-	-	11	-	11	-	-	-	0	-	10	36	-	-	46	2	41	1	44
Peters Green	-	-	-	-	0	-	-	-	0	-	-	6	-	-	6	-	-	-	0
Pirton	-	-	-	-	0	-	-	-	0	-	7	22	1	-	30	5	9	-	14
Potters Heath	-	-	-	-	0	-	-	-	0	-	-	1	-	-	1	-	-	-	0
Preston	-	-	-	-	0	-	-	-	0	-	1	12	-	-	13	1	5	-	6
Radwell	-	-	-	-	0	-	-	-	0	-	-	4	-	-	4	-	-	-	0
Redhill	-	-	-	-	0	-	-	-	0	-	-	-	-	-	0	-	3	3	6
Reed	-	-	-	-	0	-	-	-	0	-	1	17	-	-	18	-	1	-	1
Rushden	-	-	-	-	0	-	-	-	0	-	-	4	-	-	4	-	-	-	0
St. Ippolyts	-	-	11	-	11	-	-	-	0	-	16	60	2	-	78	-	37	-	37
St. Pauls Walden	-	-	-	-	0	-	-	-	0	-	1	4	-	-	5	-	-	-	0
Sandon	-	2	-	-	2	-	-	-	0	-	3	18	-	-	21	-	5	-	5
Tea Green	-	-	-	-	0	-	-	-	0	-	-	7	-	-	7	-	-	-	0
Therfield	-	-	-	-	0	-	-	-	0	5	16	17	-	-	38	-	6	-	6
Wallington	-	-	-	-	0	-	-	-	0	-	-	3	-	-	3	-	-	-	0
Weston	-	7	6	-	13	-	-	-	0	-	11	27	-	-	38	4	21	-	25
Whitwell	-	-	-	-	0	-	-	-	0	4	3	57	3	-	67	2	23	-	25
Wymondley	-	6	10	-	16	-	-	-	0	-	11	57	1	-	69	-	14	-	14
<b>Totals</b>	<b>94</b>	<b>1194</b>	<b>866</b>	<b>57</b>	<b>2117</b>	<b>0</b>	<b>181</b>	<b>26</b>	<b>207</b>	<b>38</b>	<b>1102</b>	<b>4508</b>	<b>188</b>	<b>3</b>	<b>5839</b>	<b>272</b>	<b>517</b>	<b>64</b>	<b>853</b>

## Annex B

### Sheltered Housing/Retirement Living Schemes

#### **Letchworth**

Edwin Nott House

Hadleigh

Hamonte

Kingfisher Court

Langleigh

MacFayden Webb House

Reynolds

Robert Saunders Court

Sax House

Tabor Court

#### **Hitchin**

Girton Court

Westmill Lawns

#### **Baldock**

Simpsons Court

The Tene

#### **Royston**

Blackett-Ord Court

Kings House

Queensway

#### **Parishes**

Wolverly House - **Ashwell**

The Bury - **Codicote**

Poynders Meadow - **Codicote**

Glebe House - **Ickleford**

Deanscroft - **Knebworth**

Clarion House - **Offley**

Lime Tree House - **Whitwell**

### Extra Care Schemes

#### **Letchworth**

Robert Humbert House

#### **Hitchin**

Anderson House

Peter Sell House

#### **Baldock**

Temple Court

#### **Royston**

Mary Barfield

## **Annex C**

### **Housing Associations with properties in North Hertfordshire**

Affinity Sutton

Aldwyck HA

Ashwell HA

Circle Anglia

Granta HA

The Guinness Trust

Hanover HA

Hightown Praetorian HA

Housing 21

Howard Cottage HA

Jephson HA

Livability

Johnnie Johnson HA

Moat Homes Ltd

North Hertfordshire Homes

Papworth Housing trust

Paradigm HA

Places for People

St Pancras and Humanist HA

Sanctuary HA

Springboard HA

Warden HA