

PART 1 – PUBLIC DOCUMENT

UPDATE TO THE COMMON HOUSING ALLOCATION SCHEME

REPORT OF SERVICE DIRECTOR – HOUSING AND ENVIRONMENTAL HEALTH

EXECUTIVE MEMBER: COUNCILLOR SEAN PRENDERGAST

COUNCIL PRIORITY: PEOPLE FIRST

1. EXECUTIVE SUMMARY

- 1.1. The Council and settle Group share a Common Housing Allocation Scheme (CHAS), which sets out who can apply for affordable housing in the district and how it is allocated.
- 1.2. This report details proposed changes to the CHAS, which are primarily intended to ensure that scarce affordable housing continues to be prioritised for those who need it the most, but also to update the CHAS where necessary, following changes to the policy environment and working practices.

2. RECOMMENDATIONS

- 2.1. That Cabinet approves the updated Common Housing Allocation Scheme.
- 2.2. That Cabinet delegates to the Director of Housing and Environmental Health in conjunction with the Executive Member for Housing and Environmental Health, the power to make minor amendments to the Common Housing Allocation Scheme from time to time and to agree the date for its commencement.

3. REASONS FOR RECOMMENDATIONS

- 3.1. To update the Common Housing Allocation Scheme (CHAS), to ensure that scarce affordable housing in the district continues to be prioritised for households in the greatest need. Also to ensure that the CHAS remains up-to-date following changes in the policy environment and working practices.

4. ALTERNATIVE OPTIONS CONSIDERED

- 4.1 None. The current CHAS was approved by Cabinet at its meeting on 26th July 2016 (with further minor amendments made under delegated authority in the intervening period) and it is now timely to update it.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

- 5.1 The Executive Member for Housing and Environmental Health, Cllr Sean Prendergast the Deputy Executive Member for Housing and Environmental Health, Cllr Dave Winstanley, have both been consulted and are supportive of the proposals contained in this report.

- 5.2 These amendments have been agreed with settle, which works together with the Council as the North Hertfordshire Housing Partnership (NHHP) to jointly manage and operate the CHAS and the Common Housing Register.
- 5.3 Public consultation took place over six weeks in Autumn 2023, with residents invited to express their views on the proposed major changes via an online survey. The consultation was publicised via the Council and settle's websites and social media platforms. Households currently registered for affordable housing were contacted directly, as were partners and stakeholders that the Council works with including local housing providers, health services, the police, members of the North Herts Homeless Forum and the Department for Levelling Up, Housing and Communities. In total, over 600 completed responses were received with a majority in favour of each of the proposed changes to the CHAS. Appendix 1 summarises responses received.

6. FORWARD PLAN

- 6.1 This report contains a recommendation on a Key Decision that was first notified to the public in the Forward Plan on 18th August 2023.

7. BACKGROUND

- 7.1. The Council is legally required to have an allocation scheme for determining how the allocation of affordable (also known as social) housing in the district is prioritised, who qualifies for it and the procedures to be followed. In North Herts, the district's Common Housing Allocation Scheme (CHAS) is jointly managed by the Council and settle as the North Hertfordshire Housing Partnership (NHHP). The NHHP also administer and manage the district's Common Housing Register (CHR), the register of households who qualify for affordable housing.
- 7.2. Affordable housing in North Herts is owned and managed by over 20 private registered providers of housing, the largest of which is settle, to which the Council transferred its housing stock in 2003. Demand for affordable housing in the district has always outstripped supply – there are currently almost 2,500 households on the CHR with the longest wait times for larger properties, averaging up to five years. Households on the CHR include those who need to move because their current housing is adversely affecting a medical condition or disability (for example, wheelchair users whose accommodation is not accessible), those living in overcrowded or poor condition accommodation and those who are homeless.
- 7.3. Homes are allocated through choice based lettings, whereby available properties are advertised and applicants select which properties they wish to be considered for and express an interest in the property. A property will be offered to the applicant with the highest preference (priority) on the Register. There is no requirement for applicants to bid for properties (although restrictions do apply for homeless households) so wait times will in part be dependent on applicants' bidding activity.
- 7.4. The NHHP receives over 120 new applications each month, whilst in a typical year, around 400-430 lettings come up each year. The latest full-year statistics, for 2022/23, are available on our [website](#).
- 7.5. The current version of the CHAS was approved by Cabinet at its meeting on 26th July 2016. Minor amendments have since been made under delegated authority in response to a changing legislative environment (notably the Homelessness Reduction Act 2017), local operational changes and as specific issues have come to light. Now, however it is timely to propose more fundamental changes to the CHAS, in order particularly to ensure that affordable housing continues to be prioritised for households who need it the most.

8. RELEVANT CONSIDERATIONS

8.1 Affordable housing is the only option for many households in North Herts who cannot afford the high cost of home ownership, or of renting in the private sector which, in North Herts, is relatively small and in high demand. There are currently almost 2,500 households registered on the CHR. Affordable housing is by definition [intended] for those whose needs are not met by the market, and with ongoing cost of living challenges, it is all the more important to ensure that affordable housing continues to be prioritised for those who need it the most.

8.2 Full details of all proposed changes to the CHAS are set at in Appendix 2 to this report together with anticipated impacts. A number of minor amendments are proposed in response to changes in the operational environment or to clarify existing practice, including:

- tenancies to no longer be offered to applicants aged under 18, in line with current housing provider practice (paragraph 5.6 of the CHAS);
- unused preference for vulnerable applicants to be amended to reflect current practice (paragraph 19.2);
- offers of housing to be subject to applicants passing affordability checks now routinely conducted by housing providers (paragraph 22); and
- applicants being investigated for fraud to not be considered for offers of housing (paragraph 22).

Other minor changes are proposed to bring the CHAS up-to-date with changes in local and national policy/context, including for example due to the Deposit Guarantee Scheme ending.

8.3 In addition, a number of major changes are also proposed which will also bring in the Council in line with other local housing authorities. These were subject to a consultation period, as detailed at paragraph 5.2 and the results of this consultation are presented at Appendix 1. All of the proposed changes received a clear majority vote in favour (ranging from 62% - 88% of respondents in favour) and we are proceeding with the proposals as originally drafted with [a few] minor adjustments which are noted below.

8.4 The main driver behind the proposed major changes is the need to ensure that affordable housing in the district remains prioritised for those households who need it the most and who are unable to resolve their own housing needs. One of the key measures proposed is a change to the definition of what constitutes “sufficient resources” to enable a household to be able to meet their own housing need (paragraph 5.5.5). Currently, this is defined as a household being able to buy a suitable property on the open market, with households earning over £60,000 per year (gross income) also excluded from qualifying for the CHR. The changes proposed will both tighten this definition and refine it to allow for consideration of the size of property required by the household. Under the proposed new definition, an applicant will be considered to have sufficient resources if they are able to rent or buy a suitable property on the open market and specifically if the household has:

- a gross annual household income in excess of:
 - £39,000 (if a 1 bedroom/studio property is needed)
 - £50,000 (if a 2 bedroom property is needed)
 - £64,000 (if a 3+ bedroom property is needed)
- savings above the cap set by the Department for Work and Pensions for claiming Housing Benefit (currently £16,000).

8.5 The income thresholds are calculated using the most recent data on annual market rents from the Office for National Statistics and assumes that rents will be affordable

for a household if they make up less than one-quarter of the household's gross income. This will be reviewed annually and updated where necessary.

- 8.6 The savings cap was revised following feedback from consultation, so as not to be applicable to households requiring sheltered accommodation. This is to ensure that access to the CHR is not unfairly restricted for older residents for whom the private rented sector may be less suitable and who are more likely to have savings from the sale of the family home. Demand for sheltered accommodation is furthermore far less acute than that for general needs accommodation. Households requiring sheltered housing with savings above the proposed cap of £16,000 will be placed in to Band C, however they will not be awarded any other preference. This recognises that such households are likely to have more options available to them due to their more favourable financial circumstances.
- 8.7 In addition, it is proposed that homeowners requiring general needs accommodation should no longer qualify to join the CHR (paragraph 5.7). Homeowners requiring sheltered accommodation will still be allowed to join the CHR provided they have insufficient resources to resolve their own housing need, as currently.
- 8.8 It is recognised in the CHAS that the policy cannot cover every eventuality. Current provisions for senior officers to exercise discretion over qualification and preference where exceptional circumstances apply will continue unchanged.
- 8.9 The remaining major changes proposed concern preference (priority) awarded for specific housing needs. It is proposed to remove preference for households with children living in accommodation that is above ground floor and/or without access to a secure garden (currently a low preference is awarded) (paragraph 17.1.7). This is to prioritise scarce affordable housing for those with other, higher needs. The district is fortunate to have plentiful, accessible outdoor spaces and play areas and medical priority can be awarded to households who are unable to navigate stairs to their property. Most of the families who would be affected by this change also receive preference for other housing needs, for example lacking a bedroom or insecurity of tenure.
- 8.10 It is also proposed to remove preference for existing social tenants who are living in sheltered accommodation that is too big for them (paragraph 17.1.2) as there is no real requirement to free up more sheltered accommodation and this preference is no longer in use.
- 8.11 Finally, it is proposed to remove preference for households sharing facilities with others who are not included in their application but who have a legal right to reside in the property (ie joint tenants) (paragraph 17.1.9). This provision should not impact anyone living in situations where they may be at risk (of for example domestic abuse) as the CHR is not an immediate solution for these scenarios and they are able to seek emergency assistance as required outside of this policy.
- 8.12 Once the amendments to the CHAS have been finalised, a launch date will be identified whereby the changes will apply to all existing and future applicants.

9. LEGAL IMPLICATIONS

- 9.1. The Cabinet's Terms of Reference provides at paragraph 5.7.15; *"To oversee the provision of all the Council's services other than those functions reserved to the Council"*.
- 9.2. The Housing Act 1985 Section 1 (1) confirms that the District Council is the Local Housing Authority (LHA); Section 166A (1) of the Housing Act 1996 states that every LHA shall have a scheme for determining local priorities and the procedure to be

followed in allocating housing accommodation. The scheme must include a statement of the authority's policy on offering people who are to be allocated housing accommodation—

- (a) a choice of housing accommodation; or
- (b) the opportunity to express preferences about the housing accommodation to be allocated to them.

9.3 Under section 166(A)(3) of the Act the Council is required to give reasonable preference to certain categories of qualifying applicants, as follows:

- people who are homeless (within the meaning of Part 7);
- people who are owed a duty by any local housing authority under section 190(2), 193(2) or 195(2) or who are occupying accommodation secured by any such authority under section 192(3);
- people occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions;
- people who need to move on medical or welfare grounds (including any grounds relating to a disability); and
- people who need to move to a particular locality in the district of the authority, where failure to meet that need would cause hardship.

9.4 In the exercise of their functions under Part 6 of the Housing Act 1996, local authorities must have regard to statutory guidance issued by the Secretary of State. The following additional statutory codes of guidance have also been published:

- Providing social housing for local people
- Right to move
- Improving access to social housing for victims of domestic abuse

10. FINANCIAL IMPLICATIONS

10.1 None.

11. RISK IMPLICATIONS

11.1 There is a risk that over the passage of time, the CHAS does not prioritise those in the highest need, hence the proposals contained in this report.

12. EQUALITIES IMPLICATIONS

12.1. In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.

12.2. An Equality Impact Assessment is included at Appendix 3. This illustrates that the changes are broadly viewed as positive for those with protected characteristics.

13. SOCIAL VALUE IMPLICATIONS

13.1. The Social Value Act and “go local” requirements do not apply to this report. However, the proposals contribute to social value by providing community benefits that would otherwise not be realised.

14. ENVIRONMENTAL IMPLICATIONS

14.1. There are no known Environmental impacts or requirements that apply to the proposals in this report.

15. HUMAN RESOURCE IMPLICATIONS

15.1 None

16. APPENDICES

16.1 Appendix 1: Consultation on the CHAS – Summary of responses

16.2 Appendix 2: Proposed amendments to the Common Housing Allocation Scheme

16.3 Appendix 3: Equality Analysis

17. CONTACT OFFICERS

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18. BACKGROUND PAPERS

18.1 None

Appendix 1:

Consultation on the Common Housing Allocation Scheme Summary of responses

1. Background

- 1.1 Consultation on proposed changes to the district's Common Housing Allocation Scheme (CHAS) took place over the period 22 September – 5 November 2023 via an online survey. The consultation was advertised widely across Council social media platforms and settle and Home4U websites. All households on the register for social housing were also contacted individually. In total, we received 585 completed returns from residents.
- 1.2 We also consulted with Council partners and stakeholders, including local housing providers, health services (including specialist voluntary organisations), the police, partners in the North Herts Homeless Forum and the Department for Levelling Up, Housing and Communities. 54 completed responses were received from stakeholders.

2. Profile of respondents

- 2.1 Residents responding to the consultation were asked to provide some basic information about themselves to provide context to the consultation. This is summarised in the tables below.

Table 1. Responses by tenure

	No.	%
Home owner	348	59%
Social tenant	136	23%
Private tenant	68	12%
With family	23	4%
Homeless	9	2%
(blank)	1	0%
Total responses	585	100%

Table 2. Responses by social housing registration

	No.	%
Registered for social housing	78	13%
Not registered for social housing	507	87%

3. **Headline figures**

- 3.1 Table 3 summarises the overall responses received from residents and stakeholders to the proposed changes. There was a clear majority in favour of all proposals, with proposals relating to home owners and under-occupiers receiving the most support and changes around the shared facilities preference receiving the least support.

Table 3. Summary of responses to proposed changes

Proposed change	Agree	Disagree
New income thresholds	73%	27%
Savings limit of £16,000	68%	32%
Home owners requiring general needs accommodation to no longer qualify	87%	13%
Remove preference for under-occupiers in sheltered housing	88%	12%
Remove preference for families living above ground floor	71%	29%
Remove preference for families lacking garden	67%	33%
Remove preference for sharing facilities with those who have legal right to reside in property	62%	38%

- 3.2 Resident responses to each proposal are broken down in more detail below, and includes a summary of open-ended comments which respondents had the opportunity to provide against each proposal.

4. **Detailed analysis of resident responses**

- 4.1 In general, support for proposals was fairly uniform, irrespective of whether respondents were registered for social housing or not. Tenants in social housing were however most likely to disagree with proposals, whilst home owners were most likely to agree with proposals.
- 4.2 There was still however majority support for all proposals across all sub-groups. Removal of shared facilities preference was the most contentious proposal, with 45% of social housing tenants disagreeing with the proposal. The removal of preference for under-occupiers in sheltered housing was the most popular, with 90% of home owners and 90% of respondents in other tenures supporting the proposal.

Qualification criteria: new income thresholds

- 4.3 Table 4 summarises responses to the proposal to introduce new income thresholds dependent on the size of home required, above which households would not qualify to join the register for social housing. The proposed thresholds are:

For households requiring a 1 bed property or studio: £39,000 per annum

For households requiring a 2 bed property: £50,000 per annum

For households requiring a 3+ bed property: £64,000 per annum

Table 4. Responses to proposed introduction of new income thresholds

	Agree	Disagree
All respondents	73%	27%
Registered for social housing	72%	28%
Not registered for social housing	74%	26%
Social tenant	64%	36%
Home owner	79%	21%
Other tenures	71%	29%

4.4 147 respondents (25%) provided further comments on the proposal, which attracted a spread of debate:

- thresholds are too generous and should be lowered (27% of comments);
- thresholds are too low, especially given the high cost of housing in the private sector (17% of comments). Some respondents commented on the extremely high rents in the private sector and also that privately renting is less desirable because it does not provide a stable home;
- broadly agree with the principle but believe cases should be considered individually as some households may have greater financial commitments – households with disabled members were mentioned in particular – and therefore a certain level of income would not necessarily mean they were able to afford to meet their own needs (11%);
- disagree with the proposal on principle, arguing that social housing should be for all, regardless of income whilst others again referenced unaffordable private housing especially lack of private rented properties (10% of respondents);
- social housing should be for 'local' people (9%), with some specifying this as people who have lived locally for a certain period of time and others as UK born people.

Qualification criteria: savings limit of £16,000

4.5 Table 5 summarises responses to the proposal to introduce a savings limit of £16,000 per household, above which households would not qualify for social housing.

Table 5. Responses to proposed introduction of £16,000 savings limit

	Agree	Disagree
All respondents	68%	32%
Registered for social housing	72%	28%
Not registered for social housing	67%	33%
Social tenant	57%	43%
Home owner	72%	28%
Other tenures	68%	32%

4.6 135 respondents (23%) provided further comments on the proposal, with the majority expressing strong views against the proposal:

- threshold is too low (32% of comments). Many believed savings of this scale (ie up to £16,000) were far from sufficient to meet their own housing needs, not being enough for a deposit on a home and not stretching very far in the private rental market, especially for larger families. By disincentivising people from saving for a deposit to buy their own home, this would further increase pressure on social housing. Some also suggested that people needed a small amount of savings “for a rainy day”,

especially those with chronic health conditions and the elderly and also that it would be unfair to penalise people who benefited from small inheritances;

- disagree with the proposal in principle (28%), most commonly because they believed that people should not be penalised for saving for their futures. A few mentioned impact on the elderly/retired specifically;
- agree with the proposal (10%).

Home owners requiring general needs accommodation to no longer qualify

- 4.7 Table 6 summarises responses to the proposal that home owners requiring general needs accommodation should no longer qualify for social housing.

Table 6. Responses to proposed changes to home owners' qualification

	Agree	Disagree
All respondents	87%	13%
Registered for social housing	88%	12%
Not registered for social housing	87%	13%
Social tenant	83%	17%
Home owner	89%	11%
Other tenures	88%	12%

- 4.8 57 respondents (10%) provided further comments on the proposal, with the main themes of:

- agree with the proposal (35%);
- disagree with the proposal (19%), with respondents believing the private rented sector not to be a suitable housing option due to insecurity and high rents and others highlighting concerns about people trapped in abusive relationships and being unable to access social housing;
- should consider each case individually (12%).

Removal of preference for under-occupiers in sheltered housing

- 4.9 Table 7 summarises responses to the proposal that people living in sheltered accommodation with more bedrooms than they need should no longer receive preference on the register for social housing.

Table 7. Responses to proposal to remove preference for under-occupiers in sheltered housing

	Agree	Disagree
All respondents	88%	12%
Registered for social housing	85%	15%
Not registered for social housing	88%	12%
Social tenant	79%	21%
Home owner	90%	10%
Other tenures	90%	10%

4.10 41 respondents (7%) provided further comments on the proposal, although there were indications that the proposed change was not well understood. Main themes were:

- agree with the proposal (26%);
- disagree with the proposal (17%), with some questioning the point of the proposal if it is not going to release family size accommodation ;
- need for more housing for the elderly and/or provide incentives to downsize (7%);
- need to consider each case individually (7%);
- did not understand the proposal (12%).

Removal of preference for families with young children living above the ground floor

4.11 Table 8 summarises responses to the proposal that households with children under the age of six living in homes above the ground floor should no longer receive preference on the register for social housing.

Table 8. Responses to proposal to remove preference for families with young children living above the ground floor

	Agree	Disagree
All respondents	71%	29%
Registered for social housing	76%	24%
Not registered for social housing	71%	29%
Social tenant	64%	36%
Home owner	73%	27%
Other tenures	77%	23%

4.12 93 respondents (16%) provided further comments on the proposal, most expressing concerns about the proposal:

- disagree with the proposal (45%), mostly citing a strong belief in the need for children to have safe access to outdoor spaces (many points also carried over to the proposal about gardens below) and the beneficial impacts on physical and mental health. Some also highlighted the practical difficulties of navigating stairs (in flats without lifts) with young children and buggies;
- agree with the proposal (25%), some reluctantly, given the belief that children should have safe access to outdoor spaces but recognise the scarcity of social housing and also good availability of outdoor public space in the district;
- need to consider each case individually (14%), including whether lifts were available in flatted accommodation.

Removal of preference for families with children who lack a garden

- 4.13 Table 9 summarises responses to the proposal that households with children under the age of eleven living in homes without access to a secure garden should no longer receive preference on the register for social housing.

Table 9. Responses to proposal to remove preference for families with children without access to a garden

	Agree	Disagree
All respondents	67%	33%
Registered for social housing	63%	37%
Not registered for social housing	69%	31%
Social tenant	61%	39%
Home owner	72%	28%
Other tenures	68%	32%

- 4.14 89 respondents (15%) provided further comment on this proposal, many reflecting comments already made on the proposal about above ground floor accommodation:

- disagree with the proposal (39%), as above, highlighting the importance of access to safe outdoor space for play;
- agree with the proposal (33%), some so long as there is access to communal gardens or other public space (which others pointed out that there is plentiful supply of in the district);
- variety of other comments around the theme of needing more housing generally in the district.

Removal of preference for sharing facilities with those with legal right to reside in the property

- 4.15 Table 10 summarises responses to the proposal that households who are sharing facilities with others not included in the application but who have a legal right to reside in the property should no longer receive preference on the register for social housing.

Table 10. Responses to proposal to remove preference for sharing facilities

	Agree	Disagree
All respondents	62%	38%
Registered for social housing	59%	41%
Not registered for social housing	64%	36%
Social tenant	55%	45%
Home owner	66%	34%
Other tenures	63%	37%

- 4.16 82 respondents (14%) provided further comments about this proposal, with the vast majority (80%) expressing strong concerns over the proposal:

- potential harm to those suffering domestic abuse and forced to stay in a property with the perpetrator;
- potential impact on the welfare of any children in the household;
- potential impacts on mental health;
- potential to force people into homelessness.

Other comments

- 4.17 Respondents were given the opportunity at the end of the survey to provide any other comments they wished. 168 (29%) did so, with some core themes emerging:
- a need for more social housing (21%). This included many comments on the lack of affordable housing locally, especially for young people and the need for government to encourage development of truly affordable social housing.
 - prioritise housing for 'local' people (18%), either those who have lived and worked locally for some years or those who are UK nationals.
 - limit access to social housing (18%), for those who 'deserve' it, typically working families being mentioned, and not those who either 'take advantage' of the welfare system or do not look after their properties and/or engage in anti-social behaviour.
 - prioritise social housing for key groups (7%), most commonly those with disabilities and other health needs, but also families and those who are homeless.
- 4.18 The remainder of the comments touched on a wide range of issues with only a few comments raised against each. These included comments about specific cases, planning, tenancy and neighbourhood issues, as well as some comments about general government policy e.g. Right to Buy.

Appendix 2: Proposed amendments to the Common Housing Allocation Scheme

Para	Amendment	Current text	Amended text	Impact
	Change all references from NHDC to NHC throughout document			None.
3	Update figures on social housing stock in the district	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.	There are over 9,000 general needs properties for rent (see Annex A) and almost 30 sheltered housing/retirement living schemes (see Annex B) spread throughout the district.	None.
5.4	Update text to reflect new national arrangements for low cost home ownership schemes	Those subject to immigration control are not restricted from accessing affordable 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 housing due to their immigration status who wish to be considered for such schemes should contact the Help to Buy Agent for the East and South East of England.	Those subject to immigration control are not restricted from accessing affordable home ownership schemes provided that they are unable to afford suitable accommodation on the open market and can secure a mortgage. Applicants should visit the government's Own Your Home website for further information about available schemes and eligibility.	None.
5.5 (7 th bullet point)	<u>Refine qualification criteria</u> to ensure social housing is prioritised for those most in need (detail is provided at paragraph 5.5.5)	An applicant will not qualify for inclusion on the Common Housing Register...in the following circumstances: <ul style="list-style-type: none"> the applicant does not have a housing need (see section 17); or 	An applicant will not qualify for inclusion on the Common Housing Register...in the following circumstances: <ul style="list-style-type: none"> the applicant does not have a housing need (see section 17); or 	See comments against para 5.5.5.

<p>5.5 (final bullet point)</p>	<p><i>Remove this qualification criterion as now covered by changes to para 5.5.5.</i></p>	<ul style="list-style-type: none"> • the applicant does not have a local connection (unless they are social housing tenants in England and need to move within or into North Hertfordshire for work related reasons or they require sheltered housing/Retirement Living) (see paragraphs 17.3 and 18.1); or • the applicant or a member of his/her household has been convicted of anti-social behaviour or certain types of crime (see paragraph 5.5.1); or • the applicant or a member of his/her household is facing legal action for anti-social behaviour or certain types of crime (see paragraph 5.5.1); or • the applicant has an outstanding current housing debt or outstanding debt from a former tenancy for which repayment arrangements are not in place (see paragraphs 5.5.2 and 5.5.3); or • the applicant or a member of his/her household has been evicted from social housing (see paragraph 5.5.4); or • the applicant has sufficient resources to buy a suitable home on the open market (see paragraph 5.5.5); or • the applicant has made a fraudulent application to the Common Housing Register (see paragraph 5.5.6); or 	<ul style="list-style-type: none"> • the applicant does not have a local connection (unless they are social housing tenants in England and need to move within or into North Hertfordshire for work related reasons or they require sheltered housing/Retirement Living) (see paragraphs 17.3 and 18.1); or • the applicant or a member of his/her household has been convicted of anti-social behaviour or certain types of crime (see paragraph 5.5.1); or • the applicant or a member of his/her household is facing legal action for anti-social behaviour or certain types of crime (see paragraph 5.5.1); or • the applicant has an outstanding current housing debt or outstanding debt from a former tenancy for which repayment arrangements are not in place (see paragraphs 5.5.2 and 5.5.3); or • the applicant or a member of his/her household has been evicted from social housing (see paragraph 5.5.4); or • <u>the household has sufficient resources to meet their own housing need (see paragraph 5.5.5);</u> or • the applicant has made a fraudulent application to the Common Housing Register (see paragraph 5.5.6). 	<p>See comments against para 5.5.5.</p>
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		<ul style="list-style-type: none"> • <i>the gross income of the household exceeds £60,000 per annum unless there are exceptional circumstances.</i> 		
5.5.1	<u>Additional text</u> to clarify existing practice.	<p>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 anti-social behaviour/crime has lived in the community for three years with no further convictions of this type, or when their convictions are spent, whichever is the sooner (see Annex C).</p> <p>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).</p>	<p>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 anti-social behaviour/crime has lived in the community for three years with no further convictions of this type, or when their convictions are spent, whichever is the sooner (see Annex C).</p> <p><u>Any household can be removed from the Housing Register for unacceptable behaviour.</u></p> <p>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).</p>	None, clarifies existing practice.
5.5.2 (3 rd bullet point)	<i>Remove bullet point</i> as Deposit Guarantee Scheme no longer in operation	<p>A housing debt is a debt related to a current or previous tenancy owed to:</p> <ul style="list-style-type: none"> • a social landlord; or • a private rented sector landlord; or 	<p>A housing debt is a debt related to a current or previous tenancy owed to:</p> <ul style="list-style-type: none"> • a social landlord; or • a private rented sector landlord; or 	None.
5.5.2	<u>Additional text</u> to include use and occupation charges as housing debt			Ensures those with use and occupation charges are held

(6 th bullet point)		<ul style="list-style-type: none"> • <i>NHDC resulting from claims against the NHDC Deposit Guarantee Scheme; or</i> • an agency that has provided a loan as a result of a referral by NHDC for the purpose of preventing homelessness. <p>Housing debts include:</p>	<ul style="list-style-type: none"> • an agency that has provided a loan as a result of a referral by NHDC for the purpose of preventing homelessness. <p>Housing debts include:</p> <ul style="list-style-type: none"> • current or former tenant/licensee rent/charge arrears in respect of a dwelling; • <u>Mesne profits and use and occupation charges</u> owed by tolerated trespassers; • court costs incurred through proceedings in relation to breach of tenancy, including anti-social behaviour and rent arrears. Court costs incurred through proceedings relating to the applicant's occupation of his/her home or former home will be considered according to individual circumstances; • charges for repair of damage to a dwelling that the occupier is liable for; • loans from agencies that were enabled by NHDC for the purpose of preventing homelessness where repayments have not been maintained. 	<p>accountable when applying for social housing.</p> <p>A very limited number of households may no longer qualify for the Common Housing Register (CHR).</p>
5.5.2 (penultimate bullet point)	<i>Remove bullet point as Deposit Guarantee Scheme no longer in operation</i>	<ul style="list-style-type: none"> • current or former tenant/licensee rent/charge arrears in respect of a dwelling; • Mesne profits owed by tolerated trespassers; • court costs incurred through proceedings in relation to breach of tenancy, including anti-social behaviour and rent arrears. Court costs incurred through proceedings relating to the applicant's occupation of his/her home or former home will be considered according to individual circumstances; • charges for repair of damage to a dwelling that the occupier is liable for; • <i>claims from a private landlord against a deposit guaranteed by NHDC;</i> • loans from agencies that were enabled by NHDC for the purpose of preventing homelessness where repayments have not been maintained. 	<ul style="list-style-type: none"> • Mesne profits and use and occupation charges owed by tolerated trespassers; • court costs incurred through proceedings in relation to breach of tenancy, including anti-social behaviour and rent arrears. Court costs incurred through proceedings relating to the applicant's occupation of his/her home or former home will be considered according to individual circumstances; • charges for repair of damage to a dwelling that the occupier is liable for; • loans from agencies that were enabled by NHDC for the purpose of preventing homelessness where repayments have not been maintained. 	None.

5.5.5	<p>Change to qualification criteria. Assessment of applicants' financial means to meet their own housing needs refined and updated to include new income thresholds and a savings cap, above which households will not qualify for the CHR.</p>	<p><i>Applicants with sufficient financial resources to purchase accommodation that meets their housing need</i></p> <p>Applicants who can meet their own housing need by buying a suitable property on the open market, with or without a mortgage, will not qualify for inclusion on the Common Housing Register. Resources include affordable loans, income, equity and capital.</p>	<p><i>The household has sufficient resources to meet their own housing need</i></p> <p>Households who have sufficient resources to resolve their own housing need either by renting or buying a suitable property (on the open market or through a low cost home ownership scheme) or by any other means will not qualify for inclusion on the Common Housing Register.</p> <p>A household will be deemed to have sufficient resources if they have in excess of the gross annual household income limits set out as follows:</p> <p>1 bedroom/studio property: £39,000 2 bedroom property: £50,000 3+ bedroom property: £64,000</p> <p>A household with savings above the cap set by the Department for Work and Pensions for claiming Housing Benefit (currently £16,000) will also be deemed to have sufficient resources. The savings cap will not apply to households requiring sheltered housing. Households requiring sheltered housing with savings above the cap will be placed in to Band C, however they will not be awarded any other preference.</p> <p>Our assessment of resources will also take into account affordable loans,</p>	<p>Ensures that scarce social housing is prioritised for those most in need.</p> <p>Some households may no longer qualify for the CHR. All households will be re-assessed to determine whether they have sufficient resources; it is estimated that around 1 in 15 households currently on the CHR may be removed as a result of the proposed change to this qualification criterion.</p> <p>These changes have been consulted on, with the majority of respondents in favour of the proposal.</p>
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			<p>investment income, equity and capital, amongst others.</p> <p>Please note that our assessment of resources will disregard any sum received by a member of the Armed Forces as compensation for an injury or disability sustained on active service.</p> <p>Applicants who do not qualify for inclusion on the Housing Register 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).</p>	
5.6	Update text to reflect current practice.	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.	Applicants under the age of 18 can apply to the Common Housing Register however, will not qualify for an allocation of social housing until over the age of 18 years old.	None, clarifies existing practice.
5.7	<p>Change to qualification criteria.</p> <p>Remove qualification for homeowners requiring general needs housing.</p>	<p>Home owners (including those owning a share in a property) with a housing need will be accepted onto the Housing Register provided they have insufficient resources to resolve their housing need (see paragraph 5.5.5) and;</p> <ul style="list-style-type: none"> • it is unreasonable to continue to occupy their current accommodation; and • it is not possible to adapt their current accommodation to meet their needs 	<p>Home owners requiring general needs accommodation (including those owning a share in a property) will not qualify for inclusion on the Common Housing Register.</p> <p>Home owners who either have exceptional difficulties or who are applying for sheltered housing/Retirement</p>	Numerous applications are received from households with interest in properties with significant equity and therefore able to resolve their own housing need for example by

		<p>after taking into account the affordability and practicality of any necessary measures; and</p> <ul style="list-style-type: none"> • 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. <p>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:</p> <ul style="list-style-type: none"> • 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 Support for Mortgage Interest; • 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; 	<p>Living may qualify provided they have insufficient resources to resolve their own housing need (see paragraph 5.5.5). The property must be on the market for sale 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.</p> <p>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.</p>	<p>purchasing shared ownership or renting in the private sector. This proposal will help ensure that scarce social housing is prioritised for those in most need.</p> <p>A very limited number of households currently on the CHR may no longer qualify; expected to be around 10 households.</p> <p>These changes have been consulted on, with the majority of respondents in favour of the proposal.</p>
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		<ul style="list-style-type: none"> • 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. <p>Where it is unreasonable for the household to continue to occupy their property, they will be awarded preference according to their housing need.</p> <p>Home owners 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.</p> <p>Home owners who either have exceptional difficulties or who are applying for sheltered housing/Retirement Living may not be required to have taken all reasonable steps to have completed</p>		
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		<p>the sale of their property before taking up a social housing tenancy.</p> <p>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.</p> <p>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.</p>		
6 (4 th para)	Remove reference, in line with current practice.	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.		None, clarifies existing practice.
6.1	<i>Remove reference</i> to obtaining written consent, in line with current practice.	<p>Support for potentially disadvantaged applicants</p> <p>Choice based lettings require 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.</p> <p>Assistance will be provided at an appropriate level to the applicant's needs by NHHP officers and/or statutory and</p>	<p>Support for potentially disadvantaged applicants</p> <p>Choice based lettings require 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.</p> <p>Assistance will be provided at an appropriate level to the applicant's needs by NHHP officers and/or statutory and</p>	None, clarifies existing practice.

		voluntary support and advice agencies. This may include bids being made on behalf of the applicant <i>where the NHHP has the applicant's written permission to accept/make such bids.</i>	voluntary support and advice agencies. This may include bids being made on behalf of the applicant.	
8	<u>Additional text</u> to reflect changes at 17.1.9 which removes preference for those sharing facilities with other households with whom a tenancy is jointly held.	<p>PROPERTY SIZE</p> <p>For the purpose of awarding preference on the Housing Register, households will qualify for one bedroom for:</p> <ul style="list-style-type: none"> • 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; • a foster child; • any other child, (other than a child whose main home is elsewhere); • a carer (or team of carers) who does not live with the household but who provides permanent full-time overnight care for a member of the household. Supporting documentation will be required from Hertfordshire County Council care services. 	<p>PROPERTY SIZE</p> <p>For the purpose of awarding preference on the Housing Register, households will qualify for one bedroom for:</p> <ul style="list-style-type: none"> • 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; • a foster child; • any other child, (other than a child whose main home is elsewhere); • a carer (or team of carers) who does not live with the household but who provides permanent full-time overnight care for a member of the household. Supporting documentation will be required from Hertfordshire County Council care services. <p><u>Where an applicant is sharing facilities with another person not included in their application and both parties have a legal right to reside in the property (i.e. are joint tenants), they will be awarded priority as though they have sole use of the property. Therefore, lacking bedroom priority will</u></p>	See changes at 17.1.9.

			<u>not be awarded for themselves or their household unless they would usually be deemed to be lacking a bedroom in accordance to the criteria above.</u>	
8.1	<u>Additional text</u> to clarify difference in care needs.	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.	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 low level support need. <u>Those with a high level support need and requiring flexi care accommodation will be assessed and allocated outside of this policy.</u>	None.
17.1.2	Change to preference. Remove under-occupying preference for those in sheltered/retirement living	<i>Living in accommodation that is too big for the household</i> A household will be deemed to live in unsuitable housing if they are tenants of social 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 will be considered for	<i>Living in accommodation that is too big for the household</i> A household will be deemed to live in unsuitable housing if they are tenants of social housing within the district who are under-occupying. Preference will be awarded where applicants are in properties with two or three bedrooms (with the exception of sheltered/retirement living) 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	Very limited, clarifies existing practice. This preference is no longer awarded to households in sheltered accommodation. These changes have been consulted on, with the majority of respondents in favour of the proposal.

		properties that are larger than the household would normally qualify for under the terms of the Common Allocation Scheme (see paragraph 8).	circumstances, households will be considered for properties that are larger than the household would normally qualify for under the terms of the Common Allocation Scheme (see paragraph 8).	
17.1.3	Measurements in square metre equivalent added to table	Less than 48 sq ft 48 to 50 sq ft 50 to 70 sq ft 70 to 90 sq ft 90 to 110 sq ft 110 sq ft or over	Less than 48 sq ft (4.5 sq m) 48 to 50 sq ft (4.5 to 4.6 sq m) 50 to 70 sq ft (4.6 to 6.5 sq m) 70 to 90 sq ft (6.5 to 8.4 sq m) 90 to 110 sq ft (8.4 to 10.2 sq m) 110 sq ft or over (10.2 sq m)	None.
17.1.7	Change to preference. Remove preference for those with children living in accommodation that is above ground floor and/or without access to secure garden	<i>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</i>		This is seeking to ensure that scarce social housing is prioritised for those most in need. Most applicants awarded these preferences will also have other housing needs e.g. requiring another bedroom and therefore only a small number of households currently on the CHR (estimated to be around 70) would be assessed as no longer having a housing need and therefore removed

				<p>from the CHR. The vast majority of these are existing social housing tenants.</p> <p>In addition, just under 300 households on the CHR will lose housing needs points for this preference.</p> <p>These changes have been consulted on, with the majority of respondents in favour of the proposal.</p>
17.1.9	<p>Change to preference.</p> <p>Revise to exclude applicants who are sharing with another household with whom they have a joint tenancy (typically being ex-partners).</p>	<p><i>Households sharing facilities with other households</i></p> <p>This applies where the applicant and his household share facilities with others who are not included in their application.</p>	<p><i>Households sharing facilities with other households</i></p> <p>This applies where the applicant and his/her household share facilities with others who are not included in their application. However, this priority shall not be awarded where the applicant or household have a legal right to reside in the property i.e. joint tenants.</p>	<p>Again, this will ensure scarce social housing is prioritised for those most in need. Joint tenants should seek legal resolution to their housing situation. Separate robust processes are in place to ensure safeguarding issues are fully considered, including support for those at risk of/suffering domestic abuse.</p>

				<p>A very limited number of households (estimated at less than 10) may be removed from the CHR if this is their only housing need.</p> <p>These changes have been consulted on, with the majority of respondents in favour of the proposal.</p>
17.2.1 (2 nd para)	Remove reference to lacking garden as per proposed change to 17.1.7	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 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 requires sheltered/retirement living is placed in Band C. Should a member of the household be deemed to have a medical need for this type of accommodation, 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).	None.
17.2.3 (2 nd bullet point)	Clarify wording around award of medical priority.	<p>High medical priority will be granted in circumstances whereby:</p> <p>...</p> <ul style="list-style-type: none"> the applicant's continued occupation of their current property is likely to 	<p>High medical priority will be granted in circumstances whereby:</p> <p>...</p> <ul style="list-style-type: none"> the applicant's continued occupation of their current property will cause a 	None, clarifies existing practice.

		cause a significant deterioration to their health or the health of a member of the household.	significant deterioration to their health or the health of a member of the household.	
17.2.4 (2 nd bullet point)	Clarify wording around award of medical priority.	Moderate medical priority will be awarded in circumstances whereby: ... <ul style="list-style-type: none"> 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. 	Moderate medical priority will be awarded in circumstances whereby: ... <ul style="list-style-type: none"> the applicant's continued occupation of their current property will cause deterioration to their health or the health of a member of their household. 	None, clarifies existing practice.
17.2.7	<u>Additional text</u> to clarify level of support need for sheltered housing.	<i>The household includes an applicant aged over 55 and requires sheltered housing/Retirement Living</i> 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 qualify, the applicant must have a support need that can be met in sheltered housing/Retirement Living.	<i>The household includes an applicant aged over 55 and requires sheltered housing/Retirement Living</i> 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 qualify, the applicant must have a <u>low level</u> support need that can be met in sheltered housing/Retirement Living.	None, clarifies existing practice.
19.1 (5 th bullet point)	Delete this provision to ensure consistency with provisions in paragraph 20 (cumulative need)	High preference will be awarded where applicants or a member of their household: ... <ul style="list-style-type: none"> a senior officer of the NHP has decided that a household has cumulative housing needs so great as to necessitate an urgent move; 		This will provide consistency with provisions in paragraph 20.

19.2 (2 nd bullet point)	Revise from Band B preference to Band C to reflect current practice.	Medium preference will be awarded where: ... <ul style="list-style-type: none"> 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. 		Very limited, if at all. In practice, this preference is only used for care leavers, for whom separate provisions are already in place at paragraph 5.12. Other vulnerable applicants who cannot find their own accommodation as defined at paragraph 17.2.6 would not yet be in a position to manage their own tenancy so a Band B preference (which would potentially put them close to securing a home) would not be suitable for them.
19.3	<u>Additional text</u> in line with changes at 19.2 above, to be added to bulleted list	Low preference will be awarded where: <ul style="list-style-type: none"> a household with no dependent children or vulnerable adults is sharing facilities with another household; a household is owed a duty, other than the main housing duty, by NHDC under homelessness legislation; a household has been accepted as unintentionally homeless and in 	Low preference will be awarded where: <ul style="list-style-type: none"> a household with no dependent children or vulnerable adults is sharing facilities with another household; a household is owed a duty, other than the main housing duty, by NHDC under homelessness legislation; a household has been accepted as unintentionally homeless and in 	As above.
19.3 (11 th and 12 th bullet points)	<i>Remove</i> in line with changes to preference at 17.1.7			See comments against para 17.1.7.

		<p>priority need and placed in supported accommodation by NHDC but is not yet ready to move into general needs housing;</p> <ul style="list-style-type: none"> • 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; • a household is owed a main housing duty by NHDC under homelessness legislation but does not meet the qualifying criteria for joining the CHR; • the applicant or a member of his or her household has been awarded moderate medical priority; • there is a need to move to provide care to a person who has a moderate 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, 	<p>priority need and placed in supported accommodation by NHDC but is not yet ready to move into general needs housing;</p> <ul style="list-style-type: none"> • 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; • a household is owed a main housing duty by NHDC under homelessness legislation but does not meet the qualifying criteria for joining the CHR; • the applicant or a member of his or her household has been awarded moderate medical priority; • there is a need to move to provide care to a person who has a moderate 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, 	
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		<p>and wish to move to a one bedroom flat;</p> <ul style="list-style-type: none"> • <i>children under the age of 6 or pregnant women are living in flats above the ground floor;</i> • <i>children under the age of 11 who do not have access to a secure garden;</i> • 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; • looked after children and care leavers aged 16 and 17, in accordance with the Hertfordshire Joint Housing Protocol. 	<p>and wish to move to a one bedroom flat;</p> <ul style="list-style-type: none"> • 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; • looked after children and care leavers aged 16 and 17, in accordance with the Hertfordshire Joint Housing Protocol; • <u>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.</u> 	
22 (7 th para)	<u>Additional text</u> to be added to bulleted list of exceptions, to reflect existing affordability checks conducted by housing providers.	<p>OFFERS OF ACCOMMODATION</p> <p>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</p>	<p>OFFERS OF ACCOMMODATION</p> <p>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</p>	None, clarifies existing practice.

		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.	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.	
22 (final para)	<u>Additional text</u> to streamline administrative process. We will no longer write to applicants who do not meet criteria for advertised properties, where those criteria have been clearly specified in the advert.	The type of tenancy offered may vary between social housing providers and, depending on an applicant's circumstances, could range in duration from six months to a lifetime. Further details will be found in providers' tenancy policies.	The type of tenancy offered may vary between social housing providers and, depending on an applicant's circumstances, could range in duration from six months to a lifetime. Further details will be found in providers' tenancy policies.	This will save staff time.
22	<u>Additional text</u> to protect against fraudulent applications to be added at end.	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	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	To reduce the risk of people fraudulently obtaining scarce social housing.

		<p>given will be made on a case by case basis.</p> <p>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.</p> <p>An exception to this process will apply where:</p> <ul style="list-style-type: none"> • 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 5.6); • 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 5.5) • the eligibility criteria for the property is restricted and the applicant does not 	<p>given will be made on a case by case basis.</p> <p>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.</p> <p>An exception to this process will apply where:</p> <ul style="list-style-type: none"> • 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 5.6); • 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 5.5) • the eligibility criteria for the property is restricted and the applicant does not 	
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		<p>meet the criteria (see paragraphs 7. to 7.3);</p> <ul style="list-style-type: none"> • 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. <p>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).</p>	<p>meet the criteria (see paragraphs 7. to 7.3);</p> <ul style="list-style-type: none"> • the applicant is in supported accommodation and not considered ready to move to general needs accommodation by his/her support provider; • there is another special reason why a particular property cannot be offered to the bidder with the highest preference; or • <u>the applicant fails the affordability check for the property</u> <p>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, <u>unless the criteria for the property has been specified in the advert.</u> The applicant may request a review of such a decision (see paragraph 14).</p> <p>Registered applicants under investigation due to potential fraud will be bypassed on vacancy shortlists until the investigation has been completed. The applicant may not request a review of this decision.</p>	
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23	Update wording as settle no longer have a floating support service.	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, settle Floating Support Service and/or dedicated support agencies.	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 and/or dedicated support agencies.	None, clarifies existing practice.
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Appendix 3: Equality Analysis Template

1. Name of activity:	Update to the Common Housing Allocation Scheme			
2. Main purpose of activity:	<p>The Common Housing Allocation Scheme (CHAS) sets out who can apply to join the Common Housing Register of affordable housing in the district and how affordable housing is prioritised and allocated.</p> <p>We have reviewed the CHAS and propose a number of changes to qualification criteria and preference (priority) awarded to households to ensure that the CHAS continues to prioritise scarce affordable housing for those households who need it the most.</p>			
3. List the information, data or evidence used in this assessment:	<p>NHC summary statistics: Common Housing Register 2022/23 Equality and Human Rights Commission, Housing and Disabled People (2018) House of Commons Library, Disabled People in Employment (2023) Runnymede, Falling Faster Amidst a Cost-of-Living Crisis (2022) Shelter analysis homelessness and BAME community NHC analysis of case level data for households on the Common Housing Register, December 2023</p>			
4. Assessment				
Characteristics	Neutral (x)	Negative (x)	Positive (x)	<p>Describe the person you are assessing the impact on, including identifying: community member or employee, details of the characteristic if relevant, e.g. mobility problems/particular religion and why and how they might be negatively or positively affected.</p> <p>Negative: What are the risks? Positive: What are the benefits?</p>
<p>Community considerations (i.e. applying across communities or associated with rural living or Human Rights)</p>			x	<p>Negative</p> <hr/> <p>Positive</p> <p>Affordable housing is in high demand in the district. There are currently around 2,500 households on the Common Housing Register for affordable housing and waits for a home can be long, between 3-5 years for properties in most demand. The private rented sector is small in North Herts and often unaffordable to many local households particularly in rural areas, which means that affordable housing is the only viable option for many. Households on the Register have a range of housing needs, including urgent medical needs to move, households living in overcrowded or poor condition accommodation and those who are homeless.</p> <p>Updating the CHAS by introducing the changes proposed in the report will ensure that affordable housing continues to be prioritised for households most in need.</p> <p>We are currently developing a new Housing Strategy for the district, which will detail how we will address wider housing needs in the district, including maximising delivery of</p>

				affordable homes, ensuring high standards of housing and preventing homelessness.
A person living with a disability			x	Negative
				Positive
				<p>People with a disability that is adversely affected by their current housing (e.g. a wheelchair-user living in accommodation without an accessible bathroom) will likely have a high priority on the Housing Register and will not be directly affected by the proposed changes.</p> <p>However, evidence suggests that disabled adults experience poverty at more than twice the rate of non-disabled adults (e.g. employment rate for disabled people is 52% compared to 81% for those without a disability). Whilst the proposed changes to the qualification criteria are unlikely to have direct implications for disabled households (in that there is no impact on the preference they will be awarded), they will restrict qualification for the Housing Register to those in most need, thereby potentially reducing wait times for those on the Register including people with disabilities. It is however acknowledged that the supply of accessible or adaptable properties in particular is a particular challenge. Planning obligations do however include requirements for the delivery of accessible properties on new affordable housing developments.</p> <p>Note that assistance in making an application and with making bids will be provided, free of charge, to ensure that potentially disadvantaged applicants do not incur any detriment.</p>
A person of a particular race			x	Negative
				Positive
				<p>Minority ethnic groups are over twice as likely to be in deep poverty than white households and are also more likely to experience poor housing conditions, overcrowding and homelessness.</p> <p>The proposals contained in this report could therefore positively benefit minority ethnic households indirectly, by removing qualification for and preference on the Register for households who are able to resolve their own housing needs and/or who have relatively lower housing needs.</p>
A person of a gay, lesbian or bisexual sexual orientation	x			Negative
				Positive

A person of a particular sex, male or female, including issues around pregnancy and maternity		x		Negative
				Around 70 families are likely to be impacted by the removal of preference for living above the ground floor and/or having no garden with young children and will no longer be deemed to have a housing need so will be removed from the Housing Register. Just under 60% of these families are headed by single mothers. Whilst it would be desirable for all families to have private access to a garden and possibly not to live in flatted accommodation (although in more built-up areas, many families do live in flats), in an area where affordable housing is in scarce supply and in high demand, it is a legitimate policy aim to seek to prioritise affordable housing for those with the highest needs. The district is fortunate to have plentiful, accessible outdoor spaces. The vast majority of families who would be affected by the proposed change already live in social housing.
				Positive
A person of a particular religion or belief	x			Negative
				Positive
A person of a particular age		x	x	Negative
				See comments above under sex – there will be some households with young children who will no longer be deemed to have a housing need. However affordable housing is in high demand in North Herts and therefore it is a legitimate policy aim to seek to prioritise affordable housing for those with the highest needs.
				Positive
				Young people are more likely to be faced with homelessness and rough sleeping (under 25s made up 19% of those owed a homelessness duty by the Council for assistance this year). Those accepted as owed a full housing (homelessness) duty receive medium preference on the Housing Register and may indirectly benefit from these proposals, which will restrict access to social housing to those in most need. Homeless young people aged under 18 are assisted outside of the Council's regular housing pathways, in accordance with the Hertfordshire Joint Housing Protocol, an

				<p>agreement between Hertfordshire County Council and the ten district/borough councils.</p> <p>Note that assistance in making an application and with making bids will be provided, free of charge, to ensure that potentially disadvantaged applicants do not incur any detriment.</p>
Transgender			x	Negative
				Positive
				National evidence points to LGBTQ+ people being more at risk of homelessness however local data suggests a very small number of LGBTQ+ people applying as homeless in the district (4 in 2022/23 although large non-response rates). Those accepted as owed a full housing duty will receive a medium preference on the Housing Register. There are currently 3 applicants on the Housing Register who are transgender, although data is incomplete for older applications.

5 Results

	Yes	No	
Were positive impacts identified?	x		The proposed changes to the Common Housing Allocation Scheme will prioritise scarce affordable housing for those who need it the most. This includes disabled households and those with the least resources to resolve their own housing needs, including ethnic minorities and young and transgender people facing homelessness and rough sleeping.
Are some people benefiting more than others? If so explain who and why.	x		The proposed changes have the intention of restricting access to the Common Housing Register to those households in the greatest housing need and who are unable to resolve their needs themselves. Affordable housing in the district is in high demand and of scarce supply so prioritising affordable housing in this way is a legitimate policy aim. The proposed changes should potentially reduce wait times for those on the Housing Register (although note that a choice based bidding system operates, which gives applicants the freedom to bid on properties of their choosing, in their own time and this will also influence wait times). The proposed changes will not directly benefit any particular group.
Were negative impacts identified (what actions were taken)	x		Two of the proposed changes (to remove preference for those with young children living in above ground floor accommodation and without access to a secure garden) will mean that some families will no longer be deemed to have a housing need and will be removed from the Housing Register. Just under 60% of these families are headed by a single mother. However, as stated above, with affordable housing in the district scarce and in high

			<p>demand, policy decisions have to be made to prioritise it for those in most need.</p> <p>The Council's Housing Strategy looks to address wider housing needs, including increasing the supply of affordable housing in the district and ensuring that high standards of housing are maintained, including in the private rented sector.</p>
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6. Consultation, decisions and actions

If High or very high range results were identified who was consulted and what recommendations were given?

The CHAS is jointly managed by the Council and settle. A public consultation has taken place, advertised through the Council's website and social media channels. Households on the Housing Register were contacted directly as were partners and stakeholders including local housing providers, health services, the police and the North Herts Homeless Forum. Over 600 completed responses of a consultation survey were submitted, with a majority being in favour of each of the proposals.

Describe the decision on this activity

The current version of the CHAS was approved by Cabinet at its meeting on [26th July 2016](#) with further minor amendments made under delegated authority.

List all actions identified to address/mitigate negative impact or promote positively

Action	Responsible person	Completion due date
Households currently on the CHR and who will be adversely affected by the proposed changes will be able to access housing advice from the Council if required. The proposed changes will be publicised on the Housing webpages where housing options advice is also available. More widely, our new Housing Strategy for 2024-2029 will include priorities to maximise delivery of affordable housing and ensure high standards of housing including in the private rented sector, helping to improve access to other affordable housing options.	Housing Register and Accommodation Manager Strategic Housing Manager	Spring 2024 Strategy to be delivered April 2024

When, how and by whom will these actions be monitored?

The CHAS is monitored (including the annual publication of monitoring reports) via analysis of household level equalities data and outcomes to ensure that no groups are unfairly disadvantaged by the operation of the policy. Applicants to the CHR also have the right to request a review of decisions, set out in paragraph 14 of the CHAS.

An annual plan will accompany the Housing Strategy each year, detailing how high level priorities will be achieved and setting out monitoring and reporting arrangements.

7. Signatures

Assessor

Name: **Tiranan Straughan**

Signature** T F Straughan

Validated by

Name:

Signature**

Forward to the Corporate Policy Team

Signature**

Assessment date:

Review date:

**** Please type your name to allow forms to be sent electronically.**

A copy of this form should be forwarded to the corporate policy team and duplicate filed on the council's report system alongside any report proposing a decision on policy or service change.