



Lewes District Council

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# Lewes District Council Allocation Policy August 2011



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**Image overleaf of A2Dominion affordable homes in  
Peacehaven.**

# Lewes District Council

## Choice Based Lettings Scheme – Allocations Policy

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## 1. Introduction

Lewes District Council has a policy to operate a choice based lettings scheme called Homemove. The scheme enables tenants and new housing applicants to bid for the properties they are interested in. With the exception of a few emergency priority cases, we no longer directly allocate properties.

Homemove is the Council's scheme as required under section 167 of the Housing Act 1996. It sets out the priorities and procedures for the letting of permanent Council housing stock, and our nominations to Registered Social Landlords (RSL) housing stock. The scheme applies to existing Council and RSL tenants in Lewes on the Transfer List and to homeseekers applying to the Housing Register.

It meets the requirements set out in Part 6 of the Housing Act 1996 as amended by the Homelessness Act 2002 and the Housing Act 2004, giving reasonable preference to those applicants in greatest need. It incorporates the Council's key aims and objectives outlined in its Housing Strategy and Homelessness Strategy.

We are committed to operating a lettings scheme that offers greater choice to all those seeking housing and enables people to make well-informed decisions about their housing options.

Choice based lettings will help improve the sustainability of our housing stock to maximise its effectiveness and encourage residents to have a stake in their community. Under the choice based lettings scheme, Homemove, tenants and homeseekers are placed in one of four broad Bands of housing need according to their circumstances. All applicants become members of Homemove and actively search for a home. Vacant properties are advertised in a regular freesheet magazine and on the Internet and members are able to bid for properties. Adapted properties will be classified and advertised as suitable for applicants with a matching mobility need.

The Council reserves the right to incorporate targets for Transfers and Homeseekers. Targets, if incorporated, will be set taking into account the Council's statutory obligations, financial considerations and the housing situation across the Lewes District. Targets will be set and agreed in advance and will be reviewed annually based upon projected supply and demand for the coming year.

The Council wishes to incorporate a target for Transfer cases within the review of the Allocation Policy 2011/ 2012 in order to address the overcrowding of existing Council tenants. Fifty percent of family sized properties will be advertised for Transfer Tenants of the Lewes District only. The Tenant Incentive Move On Review has been scheduled to run concurrently with the review of the Allocation Policy to enhance the availability of family sized properties.

## **Homemove Scheme Partners**

Homemove Partners and Registered Social Landlords are bound by joint protocols governing the Sussex Homemove Scheme. The protocols do not replace individual nomination agreements that may be in place, and the allocation of all general needs and sheltered property continues to be governed by the Allocation / Letting Policies of each Local Authority and Registered Social Landlord.

The Homemove Partners are as follows.

Adur District Council  
Affinity Sutton  
Amicus Horizon  
Arun District Council  
Brighton & Hove City Council  
Chichester District Council  
Eastbourne Borough Council  
Hastings Borough Council  
Hyde Martlet  
Lewes District Council  
Mid Sussex District Council  
Rother District Council  
Wealden District Council  
Worthing Borough Council  
Worthing Homes

The following Registered Social Landlords are housing associations in the region who pay an annual subscription to be full members of the Homemove Scheme.

Hyde Martlet  
The Guinness Trust  
Home Group  
Sanctuary Housing  
Southern Housing Group  
Orbit South Housing Association  
A2 Dominion  
Places for People  
Affinity Sutton  
Moat Homes Ltd  
Servite Houses

## **Local Connection Definition for Homeseekers**

Applicants on the Housing Register known as 'homeseekers' will have a local connection with the Lewes District if one or more of the following criteria are met:

- They live within the Lewes District at an address registered for Council Tax
- They have permanent employment within the Lewes District
- They have a close relative i.e.: Mother, Father, Children or Siblings who have resided in the Lewes District for a minimum of five years with whom they have maintained regular contact
- There are exceptional or special reasons i.e: the need to be near special medical or support services which are available only within the Lewes District

## **Local Connection Definition and Allocation of Rural Properties**

The following applies to applicants on the Housing Register known as homeseekers, and Transfer applicants.

With the exception of Lewes, Peacehaven, Newhaven, Seaford and the larger areas of Telscombe Cliffs, Saltdean and Rottingdean, all other parishes within the Lewes District are designated as rural.

Applicants who have a local connection to a rural area must complete an additional 'Parish Local Connection' application form giving information, and proof where applicable, as to why they have a local connection with a particular rural area. If applicants have a connection to more than one rural area, a 'Parish Local Connection' form is required for each rural area.

When Rural Properties are advertised preference will be given to applicants with a local connection in priority order as follows:

- 1) They live within the rural area at an address registered for Council Tax
- 2) They have permanent employment within the rural area
- 3) They have a close relative(s) i.e.: Mother, Father, Children or Siblings who have resided in the rural area for a minimum of five years with whom they have maintained regular contact

Where other legal covenants are in existence, such as a planning Section 106 agreement, they will take precedence over the allocation policy. For example, only applicants with a local connection to the rural property advertised will be considered inclusive of all Bands A, B, C and D in the case of a rural exception site.

## **Allocation of Rural Properties**

The Council aims to proactively encourage and promote the sustainability of rural areas, working in partnership with Parish Councils. The Council will allocate rural properties in the following order to ensure housing need and rural connection are equally prioritised and balanced.

- 1) We will look for a rural connection to the advertised property through Bands A, B and C.
- 2) If no applicants through Bands A, B and C have a rural connection to the property being advertised, we will consider all applicants through Bands A, B and C who have a rural connection to a neighbouring rural area.
- 3) If no applicants through Bands A, B and C have any rural connection; the property will be allocated to the highest priority case with no rural connection.

Please note Band D applicants will only be considered if no bids have been received from Band A, B or C applicants. In the event only Band D bids, with no specific housing need, have been received we will allocate the property in the following order.

- 1) We will look for a rural connection to the advertised property in Band D.
- 2) If no applicants in Band D have a rural connection to the property being advertised, we will consider all applicants in Band D who have a rural connection to a neighbouring rural area.
- 3) If no applicants in Band D have any rural connection, the property will be allocated to the highest priority case with no rural connection.

## Minimum Provision of Bedrooms

The locally agreed minimum provision of bedrooms for households is set out in the table below. It should be noted that if there is a second reception room it will generally be deemed to be available for use as a bedroom and box rooms, which can reasonably be used by a child, will count as a single bedroom. In the case of large households who require four bedrooms or more, the prevailing general housing stock availability within the district will be taken into account and the provision of such may not be possible.

| <b>Category:</b>                                                                                        | <b>Bedroom Provision (Accumulative):</b> |
|---------------------------------------------------------------------------------------------------------|------------------------------------------|
| An Independent adult of 18 years+                                                                       | 1 bedroom, including a bed-sit or studio |
| Co-habiting couples                                                                                     | 1 bedroom                                |
| A dependent child                                                                                       | 1 bedroom                                |
| Two children of opposite sex where one is aged over 7 years                                             | 2 bedrooms                               |
| Two children of the same sex                                                                            | 1 bedroom                                |
| Two children of the same sex where the eldest child is 12 years+ and the age gap is at least five years | 2 bedrooms                               |

Unborn children will not be taken into account for the provision of bedrooms until they are born, and the applicant has supplied details of the child's full name, gender and birth date.

Where there is overriding medical need to support the request the Council will allocate households up to one additional bedroom

## Support and Assistance

Section 166(1)(b) of the Housing Act 1996 requires a housing authority to secure that any necessary advice, information and assistance is made available free of charge to persons in its district wishing to make an application for an allocation of accommodation.

In order to ensure all vulnerable applicants are given assistance in accessing the Council's Choice Based Lettings Scheme we will

- Identify applicants who are likely to have difficulty in making an application without assistance
- Identify the appropriate type and level of assistance that is required
- Monitor applicants placed within the category of requiring assistance to ensure active participation within the scheme

## **2. The Housing Register**

The Housing Register includes all applicants known as homeseekers who are not already living in housing managed by the Council or a Registered Social Landlord.

### **Who Can Apply?**

The Housing Register is open to anyone who is 16 years of age or over (subject to the statutory exclusion provisions) although applicants aged 16 or 17 will normally only be offered a permanent tenancy if the Council is satisfied that they have a guarantor for rent, and are able to live independently; able to sustain a tenancy; and have an identified package of support available to them unless:

- They are subject to immigration control and do not have refugee status or exceptional leave to remain in the United Kingdom

Priority will be given to:

- People with a local connection accepted as or believed to be unintentionally homeless as defined by Part 7 of the Housing Act 1996 as amended by the Homelessness Act 2002
- Households with a need to move for welfare or medical reasons including grounds relating to disability
- People moving on from supported housing
- Households who occupy accommodation that is insanitary, overcrowded or in a condition that is otherwise unsatisfactory
- Households who occupy accommodation where there is substantial disrepair
- Households needing sheltered accommodation where the applicant is aged 60 years of age or over
- Households with a local connection to the Lewes district (as defined in 1. Introduction - Local Connection Definition)
- Households who need to move to a particular locality in the district, where failure to meet that need would cause hardship (to themselves or to others)

### **Exclusions from the Housing Register**

The Council reserves the right not to accept individual applicants where satisfied that:

- The applicant, or a member of the household, has been guilty of unacceptable behaviour which if the applicant was a secure tenant of the Council would entitle the Council to a possession order (Part 1 of Schedule 2 of the Housing Act 1985)
- The unacceptable behaviour is serious enough to make the applicant unsuitable to be a tenant
- The applicant is unsuitable at the time the application is considered. A fresh application will be considered if the applicant, or member of the household, can demonstrate good behaviour for at least 12 months.

There is a right under Part 6 of the Housing Act 1996 to ask the Council to review a decision not to accept an application to join the Housing Register and the grounds for it. A Senior Officer from the Council not involved in the original decision to exclude will carry out a review within 30 days of a request being made. The Senior Officer will put the result of the review in writing to the applicant including the grounds for the decision made.

### **Owner Occupiers**

Section 167 (2A) of the 1996 Housing Act as amended by the Homelessness Act 2002 allows allocation schemes to give less priority to an applicant who is financially able to secure alternative accommodation at market rent or to buy a home.

Therefore the Council reserves the right not to accept owner-occupiers or persons with a substantial amount of savings or substantial equity in a property but will provide advice and guidance on other housing options. Eligibility for the Housing Register will be considered on a case-by-case basis taking into account exceptional circumstances or special needs.

### **Who Can be Included on the Application?**

- Anyone who is part of the household at the date of registration and is still in occupation
- A partner, someone living with the applicant in a permanent relationship for at least twelve months, or who are married or have undertaken a commitment through a civil ceremony
- Dependent children under 18 years who live with the applicant where the applicant is the parent or guardian
- Someone not currently living with the applicant but for whom it would be reasonable to do so, for example: a relative needing care but unable to live with the applicant at present due to a genuine lack of or the unsuitability of the present accommodation
- A carer where the applicant can demonstrate that a live in carer is essential, one has been identified and has moved in with the household or is ready to do so when accommodation available
- Any other non-dependent adult who is normally permanently resident with the applicant

The Council will carry out an annual review of applicants on the Housing Register and Transfer Register to check that circumstances have not changed. Applicants are required to notify the Council of any change in circumstances that might affect the application and its status on the Register.

It is a criminal offence to give false information that leads to the Council offering a home where it would not have otherwise done so. If false information is given the applicant can be liable to a heavy fine. If an applicant has been given a home using false information they will be liable to eviction.

### **3. The Transfer Register**

The Transfer Register includes all applicants who are already living in accommodation managed by the Council or a Registered Social Landlord where the Council has nomination rights.

#### **Who Can Apply?**

The Transfer Register is open to existing secure tenants of the Lewes District Council, and assured tenants of Registered Social Landlords living within the Lewes District to which the Council has nomination rights. Introductory tenants will not be permitted to apply unless there are overriding management reasons which have been agreed by the Housing Operations Manager.

A satisfactory reference will be sought for a tenant of a Registered Social Landlord confirming information supplied and that they have complied with their conditions of tenancy.

Priority will be given to:

- Households who occupy accommodation that is insanitary, overcrowded or in a condition that is otherwise unsatisfactory
- Households where there is a need to move for welfare or medical reasons, including grounds relating to disability
- Households who need to move to a particular locality in the district, where failure to meet that need would cause hardship (to themselves or to others)
- People under-occupying family sized accommodation where there are surplus bedrooms
- Households where there is an overriding need to move, e.g. because the Council needs to make major repairs to the property or where a household is suffering intimidation as a result of giving evidence on behalf of the Council in a nuisance case
- Council employees who are required to give up service tenancies such as sheltered Scheme Managers
- Households needing to move because their present accommodation cannot be adapted to meet their needs or where it is not economic to adapt it
- Households occupying a property with significant adaptations which are no longer required
- Households moving from family sized accommodation into a property which is not suitable for families, such as sheltered accommodation
- People wanting to move in order to give or receive support

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

The Council will not normally make an offer of accommodation to a transfer applicant where they have been guilty of persistent anti-social behaviour, whether formal legal action has been taken or not.

## 4. The Registration and Assessment Process

Homeseekers and Tenants must apply by completing the Council's housing registration form. Some eligible persons however may be registered without completing the form e.g. Nominations from Social Services or Supporting Agencies

- If not eligible to register the Council will notify the applicant in writing giving the reason for the decision and the grounds for the decision made, informing them of their right to request a review. A Senior Officer from the Council not involved in the original decision of non-eligibility will carry out a review within 30 days of a request being made. The Senior Officer will put the result of the review in writing to the applicant including the grounds for the decision made.
- Homeseeker applicants will be requested to provide proof of the following where applicable:
  - Welfare Benefits – inclusive of Child Benefit and Tax Credits
  - Tenancy Agreement
  - References from Letting Agents / Landlord/lady or Registered Social Landlord or Local Housing Authority

All information requested must be received before an application can be accepted as 'active' onto the Housing Register

- Once accepted onto either the Housing Register or Transfer Register the Council will make an initial housing needs assessment based on the information on the registration form and other information made available
- Medical priority is assessed by the Council's Independent Medical Adviser based on the self-assessment medical form completed by the applicant, inclusive of any supporting medical evidence supplied at the applicant's instigation and own cost. Medical conditions are only taken into account where the current home is affecting the health of either the applicant or a member of the applicant's household. In the event the applicant disputes the Independent Medical Adviser's assessment, or requests subsequent assessment where there is no substantial change in circumstances, the Council reserves the right to make an additional minimal charge of £10 to cover administration costs.
- Once assessed the applicant is placed in the appropriate bedroom category and into one of the four priority bandings in date order of registration
- The Council will write to the applicant to inform them of their registration date and registration number and give the following information:
  - Priority Band and reason for it
  - Priority date
  - The maximum bed size they can bid for
  - Mobility group (physical disability level) if applicable
  - Advise the applicant that they have a right to see the information held in relation to the application. If they consider any details inaccurate then they can request a review
- A member of the Housing Needs or Housing Services Team will seek to make a home visit to the Homeseeker or Transfer Applicant within 8 weeks of application to ensure the information given has been assessed correctly and to give housing options advice. Home visits are only made to applicants who live within the Lewes District.

## **Re-Registrations**

All Homeseekers and Transfer applicants must complete an annual review form to stay on the Register. The Council will send the review letter within one month of the anniversary of their registration date. If the applicant is a vulnerable person and/or has a high priority need the Council will endeavour to visit or contact them by phone or letter.

If someone wanting sheltered housing fails to re-register they will be referred to the Supported Housing Team.

If there is no contact and the applicant fails to re-register, the application will be cancelled.

## 5. The Banding Structure

### The Four Priority Bands are:

#### Band A

- Accepted Homeless households placed in Bed and Breakfast or short term temporary accommodation where the only prospect of meeting the household's needs is in permanent accommodation
- Accepted Homeless households placed in temporary accommodation where the landlord requires the property back or the property is unsuitable to meet the applicant's needs or a member of the household's needs
- Accepted Homeless households making their own temporary arrangements or suffering family split due to a genuine lack of accommodation
- Overriding medical priority awarded by the Council's Medical Adviser, where the housing conditions are having a major adverse effect on the medical condition of the applicant or member of the household as to warrant emergency priority
- Transfer applicants under-occupying family sized accommodation qualifying for the Transfer Incentive Scheme
- Households lacking two or more separate bedrooms when assessed under the Council's locally agreed 'Minimum Provision of Bedrooms' as defined in 1. Introduction
- Households who are statutorily overcrowded or Court Order (as defined in Part X, s. 324 of the Housing Act 1985) or under a Court Order to re-house
- Transfer applicants needing permanent or temporary decant where the property is imminently required for major repair or redevelopment
- Statutory duty, Housing Order issued (i.e. properties that are assessed by the Environmental Health Department as being an imminent risk to health)
- Releasing an adapted property or to make best use of adapted stock, at the Council's discretion, where the tenant does not require adaptations or where the existing property cannot be adapted to meet the applicant's needs
- Successors and non-statutory successors, approved by Housing Management for an offer of suitable accommodation
- Move on from care or leaving supported housing
- Priority transfer e.g. Emergency harassment, agreed in exceptional circumstances due to significant and insurmountable problems associated with the tenant's occupation and there is imminent personal risk to the household if they remain
- Urgent multiple needs: where a household has multiple Band B needs such as two or more household members both with high medical needs, agreed by Housing Management.
- Multiple needs in Band A: Please see Emergency Housing Status

## **Band B**

- Management Transfers, agreed by Housing Management for transfers on management grounds, to properties of the same size and type
- Very High / High medical priority
- Retiring Council and RSL employees e.g. Sheltered Scheme Managers, Residential Estate Wardens where the Council or RSL has a contractual obligation to house
- Ex-tenants returning from institutions e.g. rehabilitation where a commitment has been made in order to secure the relinquishment of a Council or RSL tenancy on entering the institution
- High priority hardship, Homeseekers with a dependent child/ren living in insecure accommodation and not having a bedroom and lacking or sharing amenities
- Multiple needs: where a household has multiple Band C needs such as three or more household members with medium medical needs, agreed by Housing Management.

## **Band C**

- Households' lacking one separate bedroom when assessed under the Council's locally agreed 'Minimum Provision of Bedrooms' as defined in 1. Introduction
- Council and RSL tenants under-occupying that do not qualify for relevant Transfer Incentive Schemes
- Households identified by Social Services Teams where accommodation is required to assist in delivering a Care Plan or to relieve other social/welfare hardship as agreed between the relevant Social Services Team and Housing Management
- Medium / Low medical priority
- Homeseekers who have received notice to quit their private sector accommodation
- Unsanitary conditions that cannot be addressed by Environmental Health action including lacking one or more of the following; a kitchen (e.g. sink and space for a cooker), an inside WC or a bathroom (e.g. wash basin and bath or shower)
- Other unsatisfactory housing conditions (e.g. substantial disrepair as assessed by Environmental Health)
- Applicants for sheltered housing who have no identified support needs
- Applicants who need to move to a particular area in the district where failure to meet that need would cause hardship e.g. to give or receive support

## **Band D**

- Transfer applicants with no specific housing need
- Homeseekers with no specific housing need

## **Re-Assessing Need and Priority Dates**

The Council reviews all applications annually. If an applicant's circumstances change they may be moved up or down a Band(s) depending on their housing needs. All applicants must inform the Council immediately their circumstances change. If any change results in a Band change the Council will write to inform the applicant of the new Band and their new priority date if applicable.

The principle of the scheme is that no one should overtake existing applicants in a Band.

### **Moving up a Band**

If an applicant moves up a Band, then their priority date will become the date they entered that higher Band.

### **Moving down a Band**

If an applicant moves down a Band, then their priority date will revert to the date that applied when the applicant was previously in that Band, or any earlier date in a higher Band.

### **Multiple Needs**

Subject to Housing Management authorisation households with multiple needs within Band C of three or more can be moved up to Band B. Similarly, households with multiple needs within Band B of two or more can be moved up to Band A.

### **Emergency Housing Status**

Emergency Housing Status can only be authorised by Housing Management. An emergency housing status may be awarded to applicants in circumstances where remaining in their current accommodation may cause risk of death or serious injury. In cases where the applicant has been assessed as having multiple needs that fall within Band A, they may also be awarded emergency status.

An applicant with emergency housing status who bids for a home will be considered as a priority above all other applicants in any other band. Emergency housing status will be continually reviewed.

## **6. How does the Council Advertise Empty Properties?**

The Council will advertise empty properties coming up in a regular freesheet magazine available at various places including Council Offices, the Internet, and can be posted to applicants for a small charge. The Council will advertise all properties as being for Transfer applicants and/or Homeseekers and set the eligibility criteria for the property such as:

- The minimum and maximum number of persons in the household
- If there are age limits or for households without young children
- The mobility group, if applicable
- If applications are restricted to special cases such as Homeless
- If pets are allowed
- Whether it is sheltered housing

The advert will also specify:

- Who owns the property; whether the Council or an RSL
- The weekly rent, including any other charges

### **Adapted Properties**

All adapted properties will be advertised across all Bands with a mobility classification as below, inclusive of notes where the potential for adaptation or further adaptation exists.

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

#### **Mobility Group One**

Typically suitable for a person who uses a wheelchair full time indoors and outdoors. The property will provide full wheelchair access throughout.

#### **Mobility Group Two**

Typically suitable for a person with restricted walking ability and for those that may need to use a wheelchair some of the time. The property will have internal and external level or ramped access, but some parts of the property may not be fully wheelchair accessible.

#### **Mobility Group Three**

Typically suitable for a person able to manage two or three steps, but unable to manage steep gradients. The property may have adaptations to assist people with limited mobility.

## 7. Sheltered Housing

The Council and RSL partners have a variety of sheltered accommodation specifically for older people aged 60 years or over. Applicants can apply for sheltered housing using the Housing Registration form or can be referred to the Supported Housing Team by a relative, support worker, GP, the Council's Special Needs Housing Officer, or an Area Housing Officer recommending sheltered housing.

On receipt of an application for sheltered housing:

- The Council will register the application and a member of the Supported Housing Team will arrange a visit within 20 working days and assess an applicant's suitability for Sheltered Housing. Applicants will not be banded or accepted as 'active' on the Homemove Scheme until they have been assessed.
- A Housing Advice Officer or a Supported Housing Officer will provide information on sheltered properties with its location and accommodation size. If the applicant is transferring from a Council property they will be given advice on sheltered housing by a Sheltered Housing Officer, alternatively, the applicant can view a local sheltered housing scheme.
- The Supported Housing Team will assess any need for support on commencement of the new tenancy.
- Applicants agreed for sheltered housing will be placed in Band C unless they qualify for a higher Band.
- Existing Council Sheltered Tenants wishing to transfer within a sheltered scheme may be offered a vacant property by direct let at the Council's discretion.

Sheltered housing will be advertised across all Bands A to D.

## **8. The Bidding Process**

Eligible applicants can make bids for properties advertised by sending in a completed coupon, by telephone bidding, or by bidding online via the website. Full details of how to bid are set out in the Homemove Scheme User Guide, which will be sent out to all new applicants. Applicants with support needs and those who have difficulty with written English will be supported by the Council Housing Officers or an appointed support provider, or an advocate.

Applicants who urgently need to move and who do not bid for properties may receive a direct allocation.

All bids for a property are checked against the eligibility rules. Ineligible bids are excluded from consideration. Applicants who regularly bid for properties they are not eligible for will be contacted and support offered.

Applicants can bid for up to three properties they are eligible for per fortnight.

When an applicant is made an offer, or selected for viewing a property, they automatically become ineligible to bid for any other properties. Once an offer has been made the applicant has the choice to refuse the property. If they refuse they will be able to bid again in the following cycle.

## 9. The Selection Process

All eligible bids for each property are placed in priority order. Priority is decided first by Band, second by local connection, thirdly by priority date within the Band and finally by random selection. Every bid will be assigned a random number when the bid is made. This number is used to resolve a tie where bidders are within the same Band with the same priority date; the highest number gets the priority. If there are no eligible bidders for a property the Council may decide to make a direct allocation or re-advertise the property.

The Supporting Housing Team will carry out the selection process and lettings for sheltered housing.

To minimise delays the Council may arrange multiple viewing for up to three applicant households per property. Applicants will be required to bring proof of identity to the viewing. For general needs housing the Council will:

- Arrange accompanied viewings, advise on any non-essential repairs to be completed after the tenancy start date and give a target date for the completion of these repairs
- Offer the applicant the option to accept and invite to sign for the tenancy or agree a decision within 24 hours
- If the applicant chooses to refuse, the Council will note the reasons for the refusal and the next applicant is selected. Applicants are not penalised for refusing offers although checks will be made if the applicant refuses several properties, and their Banding may be reassessed as a result. Some applicants are time limited in Bands A and B, see Section 11. Time Limits for Bidding for Properties.
- Applicants who do not provide proof of identity at the viewing will be given 24 hours to provide proof at a Council office prior to signing for the tenancy

## **10. How Short Listing Takes Place**

Offers will normally be made to applicants at the top of the shortlist. In very exceptional circumstances we may need to reject an applicant on the shortlist for a particular property to ensure that we meet the following objectives:

### **To Ensure that Communities are as Balanced as Possible**

We may adopt Local Lettings Plans for specific areas. These plans will need to be agreed by stakeholders and will consider the problems that need addressing, backed up by evidence. Properties subject to Local Lettings Plans will be clearly advertised and priority will be given to those that meet the agreed criteria.

### **To Ensure that Allocations are Sensitively Made**

In exceptional cases, for housing management reasons, we may not offer to the person at the top of the shortlist. Certain properties are also subject to maximum and minimum age restrictions and these will be clearly labelled in the property advert.

### **To Make Best use of the Council's Stock and to Reduce Under-Occupation**

From time to time a property may be advertised for those who are releasing larger Council accommodation or reserved for those who need to move urgently because the Council is undertaking work on the property

### **To Ensure Properties are Let Quickly**

This is important to minimise rent loss and empty property turn around time. Applicants must be available and able to take up an offer of accommodation.

## **11. Time Limits for Bidding**

Generally speaking there is an eight week time limit for bidding for the following categories of applicants from the date they are placed into Band A and B.

- Homeless households who have had a full duty accepted under homelessness
- Retiring Council and RSL employees where the Council or RSL has a contractual obligation to house
- Ex-Council and RSL tenants released from an institution that the Council has given an undertaking to house
- Non-statutory successors
- Priority transfers
- Permanent and temporary decants
- Under-occupiers who have succeeded to the tenancy where the Council has grounds for seeking possession by offering suitable alternative accommodation

## **12. Direct Lettings**

In limited circumstances the Council will allocate properties directly as set out below:

- Special circumstances e.g. if the Public Protection Panel recommends that a Tenant or Homeseeker with high priority should be excluded from bidding. The Council will make one reasonable offer and if refused the applicant will lose priority.
- Homeless households in Band A who have failed to exercise choice through the bidding process within the timescale. The Council will make one reasonable offer of accommodation before duty is discharged.
- Retiring Council employees, those who have highly specific requirements or who have failed to bid successfully will be made a direct offer. If refused Housing Management will review.
- Tenants who need to be temporarily decanted will be offered a temporary property. If the offer is refused Housing Management will review and/or begin proceedings for possession.
- Tenants who need a permanent decant and fail to bid successfully within the timescale will be made one reasonable offer. If refused Housing Management will review and/or begin proceedings for possession.
- Existing Council Sheltered Tenants wishing to transfer within a sheltered scheme may be offered a vacant property by direct let at the Council's discretion.
- Ex-Council or RSL tenants who fail to bid successfully within the timescale will be made one reasonable offer before duty is discharged or priority lost.
- Non-statutory successors will be made one direct offer, if refused Housing Management will begin proceedings for possession.
- Priority Transfers who fail to bid successfully within the timescale will be made one direct offer. If refused Housing Management will review and may recommend priority lost.
- Under-occupiers who have succeeded to a tenancy will be made one direct offer. If refused Housing Management will review and/or begin proceedings for possession.

### **Refusals Following Direct Lettings**

In the above cases the Council will make a reasonable offer, one, which as far as possible matches the size and type of property the applicant is eligible for and not in an area known to be unsafe for the household. The applicant must give their reasons for refusing. The property will not be held empty while the refusal is reviewed but will be let to another applicant.

### **13. Feedback on Let Properties**

All properties let will be listed in a future copy of the free sheet magazine showing the number of bidders for each property and the Band and priority date of the successful applicant.

### **14. Ending a Joint Tenancy when one Party to the Tenancy Leaves**

Broadly speaking the Council will grant a joint tenancy to partners applying together for housing. A joint tenancy remains in joint names until one or both joint tenants terminate the tenancy. In the case where one party to the joint tenancy has left the property and has no intention to return, the Council may agree to offer a new sole tenancy to the remaining party should they terminate the joint tenancy. Council tenants must contact their Area Housing Officer for advice.

### **15. Local Letting Policies**

Local letting policies will have an important role in widening housing choices for local people and ensuring good housing contributes to regeneration and renewal.

The national and regional housing agendas encourage new housing schemes to be mixed tenure, catering for a range of households with varying needs and aspirations. Where there are such developments in Lewes, properties may be made available to households that would not otherwise have the opportunity to access affordable housing. This is to ensure the developments cater for a variety of residents as opposed to concentrations of households with particular support needs.

In areas of the District where there are higher than average concentrations of deprivation or vulnerable households with high support needs there may be instances where the Council will offer housing specifically to working households or those with limited housing need. Through this process lettings can contribute toward balanced, sustainable communities, with a positive impact on education, by influencing school populations, on local businesses, because of more local spending power and on health, by balancing the demand for services with local provision.

We will work with RSL partners and Housing Management teams to develop local letting policies for new developments and disadvantaged areas if appropriate. Local policies will aim to widen housing choices for local people and ensure good housing contributes to regeneration and renewal. These policies will be carefully considered to ensure that in correcting an imbalance in one area they do not create another.

A local lettings plan is an agreement between the Council, local tenants and residents that restricts lettings in the area to certain households. This is done to tackle a specific issue or problem that has been identified locally at block, street, estate or neighbourhood level.

## 16. Other Linked Schemes and Housing Options

Due to the pressures on social housing across the district applicants will receive advice and information about a range of housing options such as low cost home ownership schemes and suitable private sector rented accommodation.

The Council currently operates:

- **The Transfer Incentive Scheme** - financial assistance and support offered to Council tenants giving up family sized accommodation.
- **The Rent Deposit Scheme** - financial assistance to help potentially homeless applicants secure private sector accommodation of their choice.
- **Housing Advice Service** - a comprehensive housing advice service offering face to face advice in the main town areas of Lewes, Seaford, Newhaven and Peacehaven, and a dedicated telephone advice service for the whole district.
- **Homemove Mutual Exchange** - to assist existing social housing tenants to exchange their property with other tenants outside of the bidding scheme.

## **17. Appeals and Reviews**

This section sets out the procedure for reviewing or appealing the following decisions:

- Not to put someone on the Housing Register or to exclude someone from bidding who has applied to be put on it, or to remove someone from the Housing Register other than at his or her request, or due to non contact following annual review
- That an applicant to the Housing Register is ineligible for an offer
- Other decisions relating to the Choice Based Lettings Scheme, including banding and priority dates

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

### **Procedure**

- A request for a review must be made within 21 days from the day on which the applicant is notified of the Council's decision and the reasons for it. The Council has discretion to extend the time limit if it considers this would be reasonable
- The officer carrying out the review will carry out an investigation and if further information is needed invite the applicant to write, or if unable to do this, make oral representation, or the applicant may also appoint someone on his or her behalf to do this
- If the reviewing officer finds that the officer who took the decision did not take relevant information into account they will refer the file back to that officer for re-consideration
- The officer will notify the applicant of their decision within eight weeks of the request for a review, there is no right to request a review of the decision unless the applicant's circumstances change

**For more information please contact:**

**Lewes District Council  
Housing Strategy & Needs Team  
4 Fisher Street  
Lewes  
East Sussex  
BN7 2DQ**

**Telephone: 01273 484006**

**[www.lewes.gov.uk](http://www.lewes.gov.uk)**