

Allocation Policy



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આ માહિતીનો અનુવાદ આપની પોતાની ભાષામાં કરી શકાય છે. આ સેવા સરળતાથી મેળવવા માટે કૃપા કરી, આ નંબર પર ફોન કરો: 01257 515822

ان معلومات کا ترجمہ آپکی اپنی زبان میں بھی کیا جاسکتا ہے۔ یہ خدمت استعمال کرنے کیلئے براہ مہربانی اس نمبر پر ٹیلیفون کیجئے: 01257 515151

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Aims of the Allocations Policy

Chorley Council no longer owns Council housing having transferred its homes to Chorley Community Housing (CCH) in 2007. This Allocation Scheme sets out how Chorley Council will nominate households to Registered Social Landlords (commonly known as Housing Associations), where it has nomination rights to properties owned by those landlords. Nominations will be made by a banding system.

Chorley Borough Council aims to provide affordable housing for rent for people in housing need and to create sustainable, balanced communities. We are committed to providing a fair and comprehensive service to all persons eligible for registering for housing under the Council's scheme.

The Council no longer owns its own housing stock but will ensure that all social housing owned by Housing Associations that it has nomination rights, will be allocated to those households with the greatest need for long term, settled accommodation.

The aims of the Chorley Allocation Policy are:

- To ensure that applicants in need are housed.
- To meet the legal requirements set by housing legislation.
- To create sustainable communities where people want to live and feel safe.
- To provide choice to applicants balanced against the shortage of social housing.
- To ensure that no group or individual is discriminated against as a result of this policy and to promote equal opportunities.

Legal Requirements

1. The 1996 Housing Act (as amended) by the 2002 Homelessness Act requires local authorities to make all allocations and nominations in accordance with a published Allocation Scheme. The law covers all nominations made by Chorley Council by which a person becomes an assured or an assured short-hold tenant of housing accommodation held by a Registered Social Landlord, commonly known as Housing Associations. A summary of the Allocation Policy must be made available free of charge to any person who asks for a copy. This document is the full version of the scheme and a summary of the scheme is available through the Council's offices at the Civic Offices, Union Street, Chorley.
2. The Housing Act 1996, as amended by the Homelessness Act 2002, requires local authorities to give "reasonable preference" in their allocations policies to people with high levels of assessed housing need. This includes homeless people, those who need to move on welfare or medical grounds, people living in unsatisfactory housing and those who would face hardship unless they moved to a particular locality within the local authority's area.
3. The Act also requires local authorities to state within the policy what its position is on offering applicants a choice of housing accommodation, or the opportunity to express preference about the housing accommodation to be allocated to them.
4. This policy complies with the requirements of the Act, and takes into account the Code of Guidance on the Allocation of Accommodation issued in 2002 and also the draft Code of Guidance issued in August 2009. It also takes into account the statutory Code of Guidance on the Allocation of Accommodation: under Choice Based Letting Schemes issued by the Communities and Local Government Department in August 2008. The scheme has also been amended to fully take into account the implications for local authorities of the House of Lords decision in the London Borough of Newham V Ahmed, which sets out how Councils should balance choice and meeting housing need.

Context

5. This is a revised Allocations Policy for Chorley Council. It was revised in the summer of 2009 following consultation with RSLs and Stakeholders. Chorley Council transferred its Housing Stock to Chorley Community Housing (CCH) in 2007. This Allocation Policy sets out how Chorley Council will nominate households to CCH and all other Registered Social Landlords (commonly known as Housing Associations), where it has nomination rights to properties owned by those landlords.

The policy is based on:

- The recognition of reasonable preference categories which are set by law i.e. those applicants who must be given reasonable preference meaning a 'head start' under the Council's Allocation Policy.
 - The principle that social housing properties should be let on the basis of an applicant's housing needs.
6. Reasonable preference for housing must be given to those groups set out in the 1996 Housing Act, amended by the 2002 Homelessness Act listed below. A full description of each of these categories and how they are applied is given at paragraphs 126-143 of this Policy. The statutory reasonable preference categories cover:
 - All categories of homeless people (whether or not the applicant is owed a statutory homeless duty and regardless of whether such cases have any local connection with Chorley Council);
 - People occupying unsanitary, overcrowded or otherwise unsatisfactory housing;
 - People who need to move on medical or welfare grounds (including grounds relating to a disability);
 - People who need to move to a particular locality within the district to avoid hardship to themselves or others.
 7. In addition the Council will grant additional priority to reflect the needs of those applicants owed reasonable preference that the Council believes have urgent housing needs.
 8. It is important to note that even if an applicant is assessed as coming under one of the statutory reasonable preference categories listed above, they may still be awarded a lesser priority or no priority compared to others in that category as a result of their circumstances or actions. A full list of examples of such cases is given at paragraphs 116-130. Reduced or no priority in severe cases, will be awarded where:
 - There are current or former rent arrears owed to a social or private sector landlord, and the Council is not satisfied by the actions being taken by the applicant to resolve the arrears;
 - Cases of current or former unacceptable, or anti social, behaviour and the council is not satisfied this behaviour has been fully addressed;
 - Applicants with access to a certain level of financial resources;
 - Applicants without a local connection with the Borough
 - An applicant has refused two offers of accommodation that they have bid for or been offered under a direct offer.

Local Lettings Policies

9. The Council may, in the interests of promoting balanced and sustainable communities agree with CCH and other participating RSLs, local lettings plans for specific areas, estates, or blocks. Local lettings policies may include age restrictions, a desire to encourage more employed tenants to live in a certain area, to promote key workers living locally. The above are examples only. The decision to implement a local lettings plan will be approved by both the Senior Officer responsible for Housing in Chorley Council and agreed by the Chief Executive of the relevant RSL for whom the Council has nomination rights for properties held by that RSL. Any decision to implement a local lettings policy will always take into account the implications for equal opportunities and the need to ensure that the Council's nominations meet the allocation needs of those owed a reasonable preference. Examples of local lettings policies may include:
- Age restrictions
 - Preference to accept bids from those employed or undertaking training.
 - Transfer applicants with a positive tenancy history, for example no rent arrears and well maintained property and garden.
 - Applicants that can demonstrate a contribution to the local community, such as voluntary work. This could be specific to the area where a local letting policy is deployed or could be voluntary work regardless of which community benefits.
 - Applicants with a strong family connection to certain areas (this is defined as having parents, siblings or equivalent to whom the applicant relies on for support for caring responsibilities).
 - Applicants who are key workers as defined by the Council. This could be in the health services, social care, transport, etc.
 - Second generation applicants whose parents have a positive tenancy history regardless of sector housed.
 - Applicants in private rented sector who have a positive tenancy history assessed through references including an excellent rent record, maintaining a property in good condition, or where there have been no complaints of anti social behaviour.

Local Lettings policies will be subject to a review at least every 12 months, or as and when changes to an estate, area or block, necessitate such a review.

Who will administer the Council's Allocation Scheme?

10. Although the transfer of its housing stock has taken place, the Council retains a number of statutory housing obligations. One of these is the requirement for the Council to formulate, adopt and amend an allocation scheme. While there is no statutory requirement to maintain a Housing Register, there are significant practical reasons to do so. The Council retains full responsibility for the Allocation Policy itself, including any amendments to it and for consulting RSLs on any proposed changes to the Policy.
11. Applications for housing will be made to the Council directly using a standard application form.
12. The allocation of properties due to the Council under its nomination rights with all Registered Social Landlords in Chorley will be undertaken by the Council strictly according to the Policy. This will include nominating applicants to all Housing Association properties that the Council has nomination rights to.

13. The Council has nomination rights to all Registered Housing associations in its district. These will be reviewed on an annual basis. For Chorley Community Housing properties the Council has 75% nomination rights for 2009.

Policy on Choice and expressing preferences regarding areas that an applicant may wish to live in.

14. Under the section 167(1A) of Housing Act 1996 Chorley Council's Allocation Policy must include a statement of the authority's policy on offering applicants a choice of housing accommodation or the opportunity to express preferences about any accommodation to be allocated to them. Applicants should note that it is only a requirement to be informed of the authority's policy on choice and expressing preferences, and should not be confused with a requirement to offer applicants' choice or unlimited choice.

15. The amount of choice that Chorley Council is able to offer is limited by the acute housing pressures it faces and responsibilities it has to some groups in housing need. Chorley Council believes that any applicant that is considered to be eligible under the Council's Policy should be able to express a preference over the type of property and the area in which they would like to live but should be aware that the authority's ability to meet this expressed preference may be severely limited.

16. Applicants will be able to specify an unlimited number of areas within the borough where they would prefer to live. Areas of choice may be changed at the request of the applicant.

17. The Council also requests that the applicant states those areas where they believe they cannot live in due to a fear of violence, harassment or domestic abuse. This is to assist the Council in making more informed decisions where direct nominations may need to be made to Housing Associations, or where those fears are sufficient for the Council to accept as reasonable for not allocating accommodation in certain areas. The decision will rest with the Council.

18. For cases for whom the Council has accepted a full homeless duty under sections 193(2) or 195(2) applicants can specify choice on their applications and the Council will use reasonable endeavours where possible, to offer accommodation within these areas. However, this is not always possible and the Council is entitled to make a direct offer of suitable accommodation anywhere in the Council's area and this will fully end its Part 7 Homelessness duty. Such action will be taken as long as the applicant has sufficient priority under the scheme at that date for re-housing, to enable a direct offer to be made.

19. If a housing applicant has been placed into Cotswold House Supported Housing scheme or other temporary accommodation under a full homeless duty the Council reserves the right to make a direct offer of accommodation at any time, as long as the applicant has sufficient priority under the scheme for re-housing at the time that they occupy the temporary accommodation. This is because the Council needs to ensure that emergency accommodation is available to new homeless customers that may need such accommodation.

20. If Chorley Council introduces a choice based letting scheme in the future, where a homeless applicant bids for accommodation and is successful, the offer will be the applicant's final offer and will end the Council's homelessness duty if the offer is refused. It should be noted that in cases where Part 6 accommodation is allocated that will end any duty owed to a homeless applicant, they will have a right of review under the homelessness legislation to the suitability of any accommodation offered whether they accept the accommodation offered or not.

21. Generally, the Council will take into account any applicant's preference for an area, but cannot be bound by it when considering whether an applicant has been reasonable in refusing a property

they have bid for, unless the Council considers that the reason for expressing a particular preference is essential.

Service Standards.

Our Customer Commitment.

The Council will consider every application received and:

- ✓ Make sure the Council meets its legal obligations in nominating people to accommodation owned by all housing associations.
- ✓ Provide free advice and information about the right to apply for accommodation.
- ✓ Provide free assistance to applicants who may have difficulty when making an application. We will help an applicant complete the application for accommodation form if they need assistance.
- ✓ Make sure any information we provide is easy to understand and is readily accessible.
- ✓ Outline how we offer choice and the ability for applicants to express preference.
- ✓ Provide information to all applicants of what types of accommodation are available throughout the district.
- ✓ Provide information about how long an applicant is likely to have to wait before being nominated to accommodation.
- ✓ Provide a full copy or a summary of this Allocation Scheme to all households who request them and will always provide a summary of the scheme to all who are accepted as being owed a full duty as statutory homeless.
- ✓ Treat each applicant equally in accordance with his or her need, regardless of race, religion, ethnic or national origin, disability, gender, sexual orientation or marital status.
- ✓ Regularly monitor ethnic origin and disability of applicants who apply for accommodation.
- ✓ Nominate to all vacant Housing Association homes that are ready to let, as quickly as possible.
- ✓ Ensure that all information provided by applicants will be treated in strictest confidence. The Council will comply fully with the Data Protection Act in relation to all information it holds about applicants.

Advice and Assistance

22. Applicants that have any difficulty reading or understanding this Allocation Scheme will be offered the following services:

- An interpretation service if their first language is not English.
- Signing if speech or hearing is impaired.
- Provision of documents in large print if an applicant is visually impaired.
- An appointment with a Housing Officer, upon request, to explain the content of this document and where they can obtain independent advice on how they have been dealt with under the Council's scheme.
- Advice on what Registered Social Landlords are and what accommodation they have available in the Chorley area.
- Advice and help on renting in the private sector given the shortage of homes available in the areas where they may wish to live.

Information Provision

23. The Council is required by statute to provide information through:

- Ensuring that a free summary of the Housing Allocation scheme is available to any member of the public that asks for one. This is available at the Civic Offices, Union Street, Chorley.
- It is also available to download on the Council's website. A full copy of the scheme can be sent to any member of the public who asks for one. A reasonable charge will be levied for this.
- Allowing applicants to view information held about them, and receive a copy of information held on computer, or paper file.

Equality and Diversity

24. Our aim is to implement and maintain services which ensure that no potential or current applicant is treated less favourably on the grounds of gender, marital status, race, nationality, ethnic or national origin, disability, rurality, age or sexual orientation, nor is disadvantaged by the application of a rule, condition, or requirement, which has a discriminatory effect which cannot be justified by law. Allocations will only be made to those persons who are eligible and have been placed on the Housing Register.

DATA PROTECTION AND INFORMATION SHARING

Data Protection

25. All information held is subject to the Data Protection Act 1998. The Council will seek the express consent of applicants joining their housing register to share personal information about the applicant, and any member of the household.

Confidentiality

26. The fact that a person is an applicant on the Housing Register will not be disclosed (without their consent) to any other member of the public.

Information sharing without consent

27. Information may be shared about the individual and their history irrespective of whether their consent has been obtained in exceptional circumstances which will include:

- a) In accordance with the provisions of the Crime and Disorder Act 1998 (Section 115).
- b) For the purposes of the prevention or detection of crime and fraud.
- c) Where there is a serious threat to the applicant or a third party including staff or contractors.
- d) Where information is relevant to the management or support duties of the proposed landlord or support organisation to ensure the health and safety of the applicant, a member of his or her household, or a member of staff.

False or withheld information

28. Under Section 171 of the Housing Act 1996, it is a criminal offence for an applicant knowingly to give false information or to withhold information relevant to their application. An offence may be committed if an applicant knowingly gives false information or knowingly withholds information which has reasonably been requested on the housing registration form, in response to correspondence at the renewal of the application, or relating to any other review of the application. An offence is also committed if the applicant allows a third party to provide false information on his or her behalf, or at his or her instigation. This would apply whether the false information was provided at the time of application, at renewal stage when the annual review of circumstances letter has been sent.
29. Where there is suspicion, or an allegation has been made that a person has either provided false information, or has withheld information, the application will be suspended pending the outcome of the investigation.
30. If the outcome of any investigation reveals that they did not provide false information, or the withholding of information was found to be inadvertent, then the application will be reinstated from the date of registration. However, where the investigation shows that false information was provided on the application form, or was deliberately withheld, then the application may be removed from the register and there will be no right to re-register for a period of 12 months.
31. Ground 5 in Schedule 2 to the Housing Act 1985 (as amended by the 1996 Act, s.146) enables the landlord to seek possession of a property where it has been granted as a result of a false statement by either the tenant or a person acting at the tenant's instigation.
32. If an applicant directly, or through a person acting on his or her behalf, has given false information or withheld information it could:
- Result in an applicant being suspended from the scheme for a period of 12 months, or
 - If appropriate, be taken into account in prioritising applicants who have reasonable preference; or
 - If appropriate, result in the applicant not being given preference at all.

Deliberately altering Circumstances

33. Applicants must not deliberately worsen their circumstances to gain greater priority under the scheme. Where the Council believes this to be the case an applicant may be given reduced preference under the allocation scheme.

REVIEW OF DECISIONS AND COMPLAINTS

Asking for a decision to be reviewed

34. Applicants have rights under the Act to ask for the review of certain decisions. The following decisions are subject to the right to request a review:

- a) The applicant's housing application has been refused on the grounds they are not eligible.
- b) The applicant is removed from the housing register on the grounds they are no longer eligible.
- c) The applicant has been given reduced priority or no priority on the grounds of serious unacceptable behaviour
- d) Any decision about the facts of a particular application which have been taken into account to assess whether an allocation should be made
- e) The applicant has refused a direct allocation of accommodation.

Applicants must request a review within 21 days of being notified of a decision.

Reviews will be carried out by a senior member of Chorley Council's Strategic Housing Service, who was not involved in the original decision.

Complaints

35. An applicant who is not satisfied with the service that they receive may register a complaint under the Council's complaints procedure by telephone, e-mail or in person at the Civic Offices, Union Street, Chorley. All complaints will be acknowledged and investigated. If the applicant remains dissatisfied following the outcome of their complaint they may also make a complaint to the Local Government Ombudsman if he/she believes that maladministration has taken place.

36.

MONITORING AND EVALUATION

The policy and guidelines are reviewed annually and improved in light of experience gained from their operation and emerging best practice.

The Council will monitor:

- Average re-let times & void rent loss
- Ethnicity of applicants and allocations
- Customer refusals
- Reasons for rejection and exclusion
- Customer satisfaction levels
- Numbers of nominations, direct applicants, and transfers

Any reports on the above monitoring areas will be submitted to members.

HOW APPLICANTS WILL BE ASSESSED UNDER THE SCHEME.

The Housing Register

37. Chorley Council's Housing Register contains details of all those persons who are in need of housing. Allocations of, and nominations for, Registered Social Landlord accommodation will only be made to those persons who have applied to be placed on the Housing Register and qualify under the scheme.
38. The Council transferred its housing stock to Chorley Community Housing (CCH) in 2007. The Council has 75% nomination rights to all CCH properties that become available to let. The Council also has nomination agreements with all other Housing Associations in the area. It is for CCH to decide its allocation policy for the remaining 25% of properties that become vacant.
39. To apply to be considered for accommodation, applicants must complete a Housing Register form available in person from Chorley Council at Civic Offices, Union Street, Chorley or it can be obtained by phoning the Housing Options Team on 01257 515151. The form must be returned to the Council and will be used to assess an individual's housing need and those needs will be reflected through the application of a Banding priority system.

Eligibility for the Housing Register

Who can apply to be part of the Council's Allocations' Scheme?

40. Any United Kingdom Resident 16 years or over can apply for accommodation by completing an Application for Accommodation form. However a Housing Association will not normally grant a tenancy to anyone under the age of 18 years unless they are able to provide a guarantor to cover rent and a support worker. For young people under the age of 18 years the Housing Association may grant permission to allow the occupation of a property by way of an "Equitable Agreement".
41. All individuals or households owed a full homelessness duty under sections 193(2) or 195(2) of the Housing Act 1996 will automatically be registered with the policy, with a registration date when they presented as homeless to the Council.
42. Married, civil partners and co-habiting couples, same sex couples and brothers and sisters, who wish to live together, can make joint applications. In such cases, it is usual for a joint tenancy to be granted in the event of an offer of accommodation being made.

Those applicants who are eligible to join the housing register

43. Section 160A of the Act states that a local housing authority shall only allocate housing accommodation to people who are eligible to join the scheme. The following are **not eligible** persons to join the housing register

- Persons from abroad. These generally fall into two categories. Firstly, those who are subject to immigration control and not re-included by Regulations; People who are subject to immigration control within the meaning of the Asylum and Immigration Act 1996. and secondly, those who are not subject to immigration control but are nevertheless defined by regulation as being 'persons from abroad'.

Note this requirement does not apply to tenants of a RSL who hold an existing Secure, Assured or Starter tenancy.

- People who are not deemed to be habitually resident in the CTA (Common Travel Area which includes England, Wales, Scotland, Northern Ireland, Republic of Ireland, Isle of Man and the Channel Islands. This may include British citizens)
 - Any other person as prescribed by the Secretary of State.
 - Where an applicant or a member of the household is considered to be guilty of unacceptable behaviour serious enough to make them unsuitable to be a tenant and at the time of application for housing they are still considered unsuitable to be a tenant by reason of that behaviour.
44. Unacceptable behaviour is defined as behaviour which would, if an applicant or member of their household was a secure tenant, entitle a landlord to possession under any of the Grounds 1 to 7, Schedule 2 of the Housing Act 1985. Unacceptable behaviour includes:
- (i) Owing serious rent arrears.
 - (ii) Failing to comply with a current or past tenancy agreement with a Council, housing association or private landlord.
 - (iii) Conviction for illegal or immoral purpose.
 - (iv) Causing nuisance and annoyance to neighbours or visitors.
 - (v) Committing certain criminal offences in or near the home and still posing a threat to neighbours or the community
 - (vi) Being violent towards a partner or members of the family.
 - (vii) Allowing the condition of the property to deteriorate.
 - (viii) Allowing any furniture provided by the landlord to deteriorate due to ill treatment.
 - (ix) Obtaining a tenancy by deception, for example, by giving untrue information.
 - (x) Paying money to illegally obtain a tenancy.
 - (xi) Having lost accommodation provided in connection with employment due to conduct making it inappropriate for the person to reside there.

In determining whether an applicant is ineligible due to their behaviour, the Council will apply the following test:

- Has the applicant or a member of the applicant's household been guilty of unacceptable behaviour
 - Was the unacceptable behaviour serious enough to have entitled Chorley Council to have obtained a possession order, which would not have been suspended by the Court?
 - At the time of the application, is the applicant still unsuitable to be a tenant by reason of that behaviour, or the behaviour of a member of his household?
45. An applicant's eligibility to join the housing register will be kept under review during the application process. If, for example, new information about an applicant's behaviour comes to light after an initial assessment, they may be removed from the housing register. Applicants classified as being ineligible through unacceptable behaviour can make an application for accommodation in the future if they can demonstrate a changed pattern of behaviour. It is for the Council to determine whether the changed behaviour claimed makes the applicant eligible under the scheme.

46. Where an applicant or a member of the household is considered to be guilty of unacceptable behaviour serious enough to make them unsuitable to be a tenant, and at the time of application for housing they are still considered unsuitable to be a tenant by reason of that behaviour, the Council may, if it believes that the applicant or member of their household is prepared to take action to address that behaviour, agree to register the applicant but award no preference at all until they have fully resolved through action the behaviour to the satisfaction of the Council.
47. At that point they may be awarded any preference if owed to them and their effective date within their new Band will be the date of their original registration under the scheme.
48. If at any time, the Council obtains information that leads it to believe that an applicant already on the Housing Register is ineligible on the grounds of behaviour or being a person from abroad who is deemed ineligible by regulation, it will inform the applicant in writing.
49. If an applicant is ineligible and therefore refused access to the Council's scheme, they will be advised in writing of the decision and the reasons for the decision. Under section 167(4) of the Housing Act 1996 an applicant has a right to request a review of any such decision in accordance with the regulations made by the Secretary of State regarding the conduct of such reviews. Any request for a review must be made within 21 days of the person being informed in writing of the Council's decision. The Council will determine the review within 56 days of the request or such longer period as may be agreed with the applicant. The Council will notify the applicant of the outcome of the review including the reasons if the original decision is confirmed. The Council's decision on review is final and any challenge to that decision can only be made through judicial review proceedings.
50. Where an applicant is ineligible under the Council's scheme they will be entitled to re-apply if s/he considers that the local authority should no longer treat them as ineligible. Where, for example, an applicant has been determined as ineligible due to serious current or former rent arrears they may reapply when they have cleared the arrears in full or kept to a repayment arrangement for at least six months.
51. Applicant checks will be carried out at the time of application on all members of the household who apply to be re-housed. These checks will be made to confirm:
- Identity, for example, passport, Identity Card (issued to certain Foreign Nationals), photo-driving licence, birth certificate or written confirmation from a professional person or support agency
 - Public Sector landlord references (where the applicant has previously held a public sector tenancy)
 - Police checks where applicants have indicated an "unspent" conviction

Making an Application: The Application Pack

52. Every applicant who requests it will receive a pack containing:
- An application form with guidance notes on completing it.
 - A summary of this Allocation Policy, including the review and complaints procedure, and the Council's policy on applicants expressing choice.

Completing the application form

53. Applicants are encouraged to complete the form themselves. However, if completed at the Council's offices at Union Street, Chorley, staff will go through the form with the applicant to ensure that the required information is collected. Staff will give support in completing the form if requested by telephone.

Assessing Applications

54. In order to assess an applicant's place on the Housing Register the Council uses a needs based banding system scheme, detailed in paragraphs 126-153 and summarised in Appendix 1 of this policy. The Bands are awarded to reflect housing need, whereby the needs reflected in the highest Band indicates the greatest need for housing.

55. All applications will be acknowledged within 14 working days. Once the application has been assessed, the applicant will receive a letter detailing whether they are eligible, the Band they have been placed into according to their housing needs, the areas requested and the type of property for which they may bid for.

56. An applicant, will on request be shown, and be given a copy of his/her entry on the Housing Register. The Council will also, on request from the applicant, provide such information that is practicable and reasonable to supply, to explain his/her position and priority on the Housing Register in relation to when an offer of suitable accommodation might be made. An applicant has the right to be informed of any decision about the facts of their case which is likely to be taken into account when considering whether to allocate housing to them.

57. Separately, the Council provides a regular update of how long applicants are likely to have to wait for a nomination taking account their areas of choice. This information is available on request from the Council's Housing Options Service. However, this information is only a snapshot and cannot take into account changes to the Housing Register and the number and type of future vacancies. Applicants are encouraged to apply for properties over a wide area of choice, and to consider properties in the private rented sector if they require a specific area where demand is high or they have not been assessed as coming under one of the higher Bands.

Making an Application & Customer Service Standards

58. Once an Application for Accommodation has been submitted the Council will:

- Confirm receipt of the Application for Accommodation within 14 working days.
- Allocate a Banding to the application within 28 working days or if a homeless applicant once a decision has been reached on a persons' homelessness application.
- N.B. where there is a need to visit an applicant or make further enquiries to confirm an applicant's circumstances, any Band awarded will be provisional pending that a visit or confirmation of circumstances.

- If there needs to be a visit an applicant or an interview arranged to clarify details contained on the form, arrangements will be within 28 working days of receipt of the application.
- Confirm any final Banding in writing within 28 days of any such interview, visit, or the completion of further enquiries.

What is an Allocation under this Scheme?

59. Given that Chorley Council no longer owns Council housing an allocation under this Scheme is defined as:
60. The nomination of a person to be an Assured Tenant for a registered social landlord (Housing Association). This includes, (where a Housing Association chooses to operate such a scheme), the nomination to be a 'Starter Tenant' of a Housing Association whereby the Housing Association will provide an Assured Short Hold Tenancy for a set period. Following this period if the tenant has proved themselves to be a suitable tenant the Housing Association will then normally grant an Assured Tenancy.
61. Existing tenants of any Housing Association in the Chorley area who wish to transfer to another Housing Association property are able to register under this scheme, although if they are seeking a transfer to another property owned by their own landlord, that landlord may have its own transfer scheme and its own transfer rules. Advice can be given on these circumstances by Chorley Community Housing or the Housing Association concerned.

Allocations not covered by this Scheme

62. The following are examples of allocations not covered by this policy:
- Conversion of a Starter Tenancy into a Secure Tenancy (that is a matter for the tenants Housing Association).
 - Nominations to a Housing Association by the Council for property which is to be used as temporary accommodation to house homeless households owed a duty under the Homelessness legislation.
 - Assignments of and Successions (these are matters for the tenant's Housing association).
 - Mutual exchanges of Housing Association Tenancies (again this is for the relevant Housing association to decide and administer).
 - Nominations not made under this scheme for offers of assured tenancies, assured short hold tenancies, or other tenancies or licences, from private landlords or Housing Charities who are not Registered Social Landlords.

Joint Tenancies

63. It is for the Housing Association for which the Council makes a nomination to decide whether to allow a Joint Tenancy depending on the circumstances of the case.

Reasonable Preference

64. The Council will use a Banding based system to measure housing need and allocate accommodation. In assessing re-housing need the Council will give reasonable preference to those applicants who fall into one or more of the following categories (in line with the Homelessness Act 2002):
- Homeless people owed a full duty under part VII of the Housing Act 1996
 - Homeless individuals (not owed a full duty under the above act).

- Applicants occupying unsanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions.
- Applicants who need to move on medical or welfare grounds or grounds of disability.
- Those who need to move to a particular locality in the district where failure to meet that need would cause hardship (to themselves or others).

65. The Council's Allocation scheme has been devised to ensure that it meets its legal obligations in respect of reasonable preference. The Council will therefore allocate the housing available within a framework, which reflects this duty and which ensures that offers of accommodation are made to those with the greatest need. The detail of who qualifies for reasonable preference under the Chorley scheme is set out at paragraphs 126-153.

66. The Council will carry out the assessment of housing need. Where the case involves a medical, welfare or disability assessment the responsible Housing Officer will award any priority either after considering a medical recommendation by a Medical Advisor or, where such an assessment is not deemed to be necessary, any priority will be awarded by a senior officer with responsibility for allocations. A full list of decisions and which description of officer will make them are set out at Appendix 4.

Additional Preference.

67. Under section 167 (2) of the Housing Act 1996, the Council may give additional preference to applicants in urgent housing need owed a reasonable preference. The Council will give reasonable preference to applicants who demonstrate an urgent housing need. The criteria for when additional preference will be awarded is fully detailed in the relevant policy section below.

68. Following the House of Lords *Newham V Ahmed* (2009) decision the Council is not required to apply cumulative preference to determine relative need within the reasonable preference groups or to applicants that fall within a particular reasonable preference band. The council believes that it is important to ensure that its Allocation scheme is simple and transparent to members of the public. As such, with some exceptions that are set out in paragraphs 76-83, waiting time will be used as the criteria to prioritise applicants that fall into each band including those applicants that have been assessed as being owed additional preference on top of reasonable preference, and those who have been assessed as being owed reasonable preference.

Review of Applications

69. Each application on the Housing Register will be reviewed at least annually. The review will determine if the applicant still wishes to remain registered under the scheme and whether their circumstances have changed. If an applicant initially fails to reply to their annual review, they will be sent a reminder. Failure to return the reminder will result in the applicant being removed from the Register. If good reason can be shown why they failed to respond to the review the application may be reinstated.

Change of Circumstances

70. All applicants are required to notify Housing Options immediately of any change to their circumstances, which may affect their priority for housing. Applicants who have had a change of circumstances and have not informed Housing Options may have their application suspended whilst an investigation takes place.

Cancellation of Applications

71. Applications will be cancelled for one or more of the following reasons:

- An applicant requests cancellation;
- An applicant's circumstances change and they are no longer eligible;
- An applicant fails to return a review form;
- An applicant is found following investigation to have made a false or deliberately misleading statement in connection with their application (in such cases the applicant may be suspended for 12 months depending on the seriousness of the false or misleading statement).
- An applicant has been housed in a secure or assured tenancy by another Local Authority or a Housing Association in or outside of the Chorley area.

Allocating properties

72. When matching vacancies against applicants, vacancies will normally be matched in the sequence in which they are recorded as available for nomination. The process for administering this is set out below. Allocations will be made in order of Band and waiting time subject to the exceptions set out in paragraphs 76-83.

How properties will be allocated.

73. Vacancies will be faxed or e-mailed to the Council by each Housing Association. They will be recorded on a database and prioritised for a nomination based on the date the Council received the notification of the vacancy and the date that a nomination has to be made which in turn depends on the nomination agreement with the particular Housing Association

74. The following procedure will then apply:

- The first available vacancy will be matched against the applicant in the highest band.
- Where two or more applicants have the same Band the date that the applications were effective for that Band will be used to determine who will be considered for the nomination.
- The following checks will then take place before a nomination is made.
 - a. An assessment will be made to determine if the property is suitable and reasonable for the applicant and the applicant's household.
 - b. If it is, the applicant's preference re any area/s of choice will be considered. If it is property location is outside of the applicant's expressed area/s of choice a nomination may still be made unless there are exceptional reasons why the Council agrees that an applicant should only be considered for an area/s.
If the property is reasonable and suitable as described at (a) above and the scenario listed at b) applies the Council may proceed with the nomination.
- If the property is not suitable for the applicant who has waited the longest in the specific band, it will be matched against applicants in descending points order until a suitable allocation is found. The process will then be repeated for the second property on the list of vacancies available for allocation.
- An offer of a property will be made by telephone initially by the Housing Association where possible and confirmed in writing. The applicant to be offered the property will be contacted and checks made to ensure that the housing circumstances remain, as they were when the application was submitted. As long as the circumstances are the same, an offer of the property will be made and a viewing arranged.
- The offer will normally last for 2 working days but this may be extended at the discretion of the relevant Housing Association.
- Where a property is refused the Council will be informed immediately and will make a decision on the suitability of the offer within the 2 working days that the property is still available.

- If the property is deemed to be suitable by the Council it will count as one of the two nominations an applicant is entitled to receive. If the applicant has been accepted as being owed a statutory homeless duty by the Council, this duty, subject to a right of review, will have ceased if the property is refused. In such circumstances an applicant will no longer be entitled to any temporary accommodation and may have to leave any accommodation provided making their own arrangements.

75. As Chorley Council does not have any housing stock CCH or another Housing Association operating in the Chorley district will receive nomination requests made by the Council. However, applicants need to be aware that each Housing Association may operate their own separate eligibility criteria. It is therefore possible that the Housing Association may reject a nomination where the applicant fails to meet their eligibility criteria. The Council works with all partner Housing Associations to ensure that any additional eligibility criteria are fair and equitable.

When an allocation may be made outside of the Band by waiting time method.

76. Exceptional circumstances cases set out below, can, depending on the assessed seriousness of their case be allocated outside this procedure.

77. In addition vacant properties which are adapted, or which are suitable for adaptation, or which are otherwise potentially suitable for applicants with a substantial disability or other special reasons may be allocated outside any strict date order. This will be through a direct offer where the nature of the property or its current adaptations matches the specific needs of an applicant on the scheme who requires such an adapted property.

78. The policy of allowing allocations outside of the date order for Band criteria may also apply where, depending on the characteristics of the property, a ground floor flat is available and an applicant with very high priority requires such accommodation in a specific area.

Rather than select an applicant with general needs to the property the Council reserves the right to allocate to a high priority applicant in need of such accommodation.

79. Some types of supported housing owned by an RSL may also be allocated outside of this process by selecting the applicant who support needs best match the property available.

80. Where information is available which would compromise the safety of the applicant or others. For example, where a high risk offender who should not be allowed to live in a certain area or where a person previously guilty of harassment or domestic abuse should not be placed in the same area where a victim of that harassment or abuse currently lives.

Management Discretion – Exceptions Policy Cases who will be awarded Blue Band and placed to the top of that Band.

81. The Council recognises that there may be exceptional circumstances where the only way an exceptionally urgent housing need can be resolved is through the use of Management Discretion.

82. There is discretion for the Head of Housing to exercise discretion in the following exceptional circumstances. In the interests of fairness to all applicants these circumstances are kept to an absolute minimum:

- Emergency cases whose homes are damaged by flood, fire or other disaster may be provided with another tenancy immediately if it is not possible to repair their existing accommodation and the Housing Association has no other vacant accommodation to move them to from their own percentage of vacancies that they can allocate to.

- Households who on police or Social Services advise must be moved immediately as a matter of urgency.
 - Households from outside the area where the Council owes another local authority a nomination to someone on an urgent reciprocal basis, such as where an applicant has had to be re housed immediately outside the area due to domestic abuse.
 - An applicant has an exceptional need that is not covered by the Allocation Scheme. For example, where child or public protection issues require urgent re housing.
83. Such cases depending on their exceptional circumstances will be awarded additional preference and placed at the top of Blue Band and made an immediate offer of accommodation. Members will receive an Annual Statement as to how the Service has allocated all Housing due to it under nomination rights including the circumstances where it has exercised its management discretion in exceptional circumstances and where allocations have been made outside of the strict Band and date order process. It is the responsibility of the Head of Housing to make an evidence based assessment of exceptional circumstances cases, and to record these fully to ensure a fair and transparent process that can be fully scrutinized by members of the Council to ensure that they fully met exceptional circumstances criteria.

The Councils Policy where a property has been refused

84. Considerable care is taken to match an Applicant's requirements and preferences with accommodation that becomes available. However, where an applicant has been made two suitable offers of a property within a six month period but has refused these without genuine reason, their priority for re-housing will be downgraded to Orange Band for those owed reasonable preference and Yellow Band for those not owed reasonable preference.
85. Any applicant will remain in this lower band for a 12-month period after which, if their current housing circumstances at the time warrant it, they will be returned to their original Band with their original registration date for that Band. The exception to this policy is where a Homeless applicant owed a full homelessness duty under section 193(2) or 195(2) of the Housing Act 1996 refuses any property bid for or where a direct offer has been made to a homeless applicant owed such a duty and it is refused. (See below).

Offers to Homeless Applicants

86. For cases for whom the Council has accepted a full homeless duty under sections 193(2) or 195(2) where suitable properties in specific areas identified by the applicant are not available, the Council is entitled to make a direct offer which will fully end its Part 7 Homelessness duty if the applicant has sufficient priority under the scheme at that date for re-housing to enable a direct offer to be made.
87. If an applicant has been placed into temporary accommodation such as Cotswold House Supported Housing Scheme under a full homelessness duty, the Council reserves the right to make a direct offer of accommodation at any time, as long as the applicant has sufficient priority under the scheme for re-housing at the point of the offer.
88. Whether or not a Homeless Applicant accepts an offer of accommodation made under the scheme, they have the right to request a review of the suitability of the accommodation they have been offered. Homeless Applicants are therefore encouraged to accept the offer that has been made to them, even if they intend to request a review of its suitability.

Applications for Sheltered housing

89. Applicants for sheltered housing must be aged 55 plus, or over 60 (depending on the particular RSL policy) or have a need for sheltered accommodation due to vulnerability or disability. It is a condition of all tenancies in sheltered housing schemes that tenants agree to take the Telecare Line and any Warden Service if applicable. Separate charges are made for these services on top of the rent. Sheltered Housing properties will be specifically marked when a property is offered.

Serious Ex-Offenders

90. It is sometimes necessary to provide housing, which will minimise the risk to the community and where supervision of the individual can be maintained. This may also apply to individuals currently living in the community who are considered to pose a risk to themselves and/or others, although they have not been convicted of an offence.
91. The Council will work with the Police and Probation Services to assess and manage risk and will apply special arrangements where cases are referred through the Multi-Agency Public Protection Panel (MAPPA) or any protocol with Probation Services. Officers will attend case conferences with the Police, Probation, Adult Social care and Health professionals. A planned and managed relocation pathway will be agreed. This should include a full discussion of a range of housing options, which are most appropriate to the customer's circumstances and supervision needs.
92. This may result in restrictions being placed on the choice of property or area that is open to an applicant or may result in a direct offer of suitable accommodation being made to a specific property or location when such an applicant has sufficient priority under the scheme to receive such an offer. Such cases should not be taken out of the Band and waiting time procedure as such action may be seen to have rewarded their offending behaviour with a faster offer of accommodation.

The Policy on assessing Medical needs.

93. Applicants who have a medical need will be asked to complete a Medical Form, which will either be assessed by an officer responsible for assessing applicants under the Policy whose decision will be informed by standard criteria, or where the condition is serious, may be passed to a medical advisor appointed by the Council or an Occupational Therapist, depending on the medical condition or any disability.
94. Applicants will only be offered additional priority if their medical condition or that of a member of their household is significantly affected by remaining in the accommodation that they occupy, and there is as a result a need to move elsewhere.

This will normally relate to the physical conditions of the property but can occasionally be caused by the location of the property itself. The council will always assess whether the applicant's needs, or that of a member of their household, would be better served by providing aids and adaptations to their current accommodation thereby allowing them to remain.

95. The criteria to be considered relate to the extent that the health of an applicant, or an immediate member of the applicant's family, will significantly improve by a move to alternative accommodation. The assessment is not based on the seriousness of an applicant's condition, but is solely based on the impact of their current housing (or in exceptional circumstances the location of their accommodation), on that condition and whether this would improve significantly through a move to alternative housing.
96. Following assessment, the Council will decide whether to award priority or not, on the basis of an assessment of the information provided in the medical form and where appropriate, any additional

information requested from the GP, hospital, or consultant. Either Blue band or Red Band or no priority will be awarded. Any applicant who feels that they are entitled to medical priority must complete the medical section of the application form and return this along with any supporting information to Housing Options Team.

97. An applicant's financial circumstances will be taken into account in assessing the priority they may receive through this Allocation Scheme even if they qualify for consideration under one or more reasonable preference categories.
98. Where an applicant is considered to be in a position to provide their own accommodation they may be offered the opportunity of a shared ownership option available through partnership working with a Registered Social Landlord or referred to the approved landlord scheme if available.
99. Owner occupiers who are adequately housed or with the resources to secure accommodation locally, would normally not attract sufficient priority under the Council's scheme and would be placed into either a reduced preference Orange Band, if they are assessed as being owed reasonable preference, or into the bottom Yellow Band (no recognisable housing need if they are not owed reasonable preference).

The policy regarding Applicants that fall into a reasonable preference category but will be given a reduced preference.

99. In forming this policy, due regard has been given to the requirement to give reasonable preference to those categories amended by the Homelessness Act 2002. The reasonable preference categories are listed in Appendix 3.

100. Those applicants that are eligible for consideration under the policy will be assessed to determine if they are owed a reasonable preference. If they are, they will be allocated a Band according to the Council's allocation priority. Beyond giving additional preference for urgent housing needs Chorley Council is also allowed to give reduced preference (downgrading) for applicants who fall into one or more of the reasonable preference categories but where certain factors apply to their case.

101. Therefore where an applicant would have been awarded a specific Band due to their reasonable preference but one or more of the factors listed below apply to their case, their application will be given a reduced/downgraded priority (allocated Orange band) until the issue relevant to their circumstances has been resolved. This action is allowed under section 167 (2A) of the Housing Act 1996 as amended by the Homelessness Act 2002.

Reducing reasonable preference: The circumstances when this policy will apply.

102. The following policy will apply to applicants either

- at the point where their housing needs are assessed or
- where applicants have been assessed but their circumstances change,
- or where new information is obtained,
- or where they take a certain action for example by refusing two offers of accommodation that are suitable for their needs.

103. After considering the above procedure the Council will reduce the applicant's Priority to the reduced preference Band 4 if they had been assessed as being owed reasonable preference. This will mean that they are unlikely to successfully bid for accommodation. The Council will inform the applicant of the reasons for the reduced preference award and the actions they must take to address this issue to the satisfaction of the Council, which will then lead to their reasonable preference being reinstated. The Council will review the case at the request of the applicant, and once satisfied that appropriate action has been taken by the applicant to address for example rent arrears, or behaviour, or where an applicant may on the basis of their changed circumstances qualify for a local connection with Chorley, may lift the reduced priority and consider the applicant for the priority Band relevant to their housing need.

The following are the circumstances when reduced preference will be given:

Refusal of an offer

In these circumstances the downgrade will end twelve months after the last suitable offer has been refused and they will re-enter the Band appropriate to their current circumstances and if this is the same Band they held before the downgrade, they will retain their original effective date for that Band.

This policy will apply to all such cases unless during the time of their downgraded status their circumstances change and the Council determines that the change in circumstances is sufficient to allow the Band appropriate to the reasonable preference owed to be restored.

The applicant has a social housing tenancy related debt.

105. This would include current or former rent arrears (including temporary accommodation arrears), or damage to a former social housing property or legal costs arising from court action in connection with a current or former tenancy.

106. This will be assessed at the point when the applicant's priority is being assessed unless new information comes to the Council's attention after their initial assessment. The following procedure will apply:

- The Council will consider whether the applicant still owes arrears, and if they do, the extent of the arrears.
- Whether there are exceptional circumstances, which should lead to their being offered accommodation despite those arrears.
- Whether the claimant has taken debt advice, acted on it, and entered into and began to implement any arrangement to clear the arrears. Depending on the circumstances of the case the Council will require the debt to be paid in full or to have made a repayment agreement with the creditor landlord and adhered to it for at least six consecutive months.
- Where an arrangement has been made, the final decision to reinstate an applicant's full preference will depend on amount of arrears paid off, any debt outstanding, and the regularity of any payments made.

Rent Arrears owed to a private landlord

107. If an applicant has been evicted from an Assured Short-Hold Tenancy on a rent arrears grounds by a private landlord, the Council will consider whether that applicant can demonstrate an ability to maintain a rent account in deciding whether to give reduced preference or, where this has been given before deciding to reinstate an applicant's full preference.

Financial Resources

108. The Council will take into account an applicant's financial resources in determining in cases where an applicant would qualify for reasonable preference whether that preference should be reduced. The application form requires applicants to declare and provide evidence of financial status. Regard will be had to any resources wherever in the world they are located. This category applies to households whose total gross income from all sources exceeds the threshold for the higher rate of income tax (currently calculated at £34,800) or whose household's capital assets or savings exceeds £20,000. Assets will include equity in any home owned.

Such applications will be placed in Orange Band, which will mean that they are unlikely to receive sufficient priority for a nomination until all applicants with higher priority have been housed. This is unlikely to happen as higher priority applicants will be continually joining the lists. This restriction does not prevent applicants being considered for any Low Cost Home Ownership/Shared Equity schemes. The rules for acceptance under these schemes are different and are applied on a scheme-by-scheme basis. Many such schemes are administered directly by Housing Associations and the Housing Options Team from the Council can give advice on any of these options.

No Permanent Address in the UK

109. Applicants that are not currently living permanently in the UK but are eligible for housing will be placed in Yellow band.

Non-compliance with any current or previous tenancy agreement

110. This applies where the Council is satisfied, having considered reasonable evidence, that an applicant (or a member of their current or prospective household) has failed to maintain any current previous social rented or private sector rented property within the terms of their tenancy agreement, or has committed acts causing or likely to cause nuisance or annoyance to their neighbours or others in the locality of where they live or where they previously have lived. However, their behaviour or actions are not so serious to entitle the Council to an outright order for possession which under the policy would lead to either their ineligibility from the Council's Allocations Policy or the award of reduced priority.

111. In such cases of non-compliance with a tenancy agreement and where an applicant is owed reasonable preference their application will be reduced to Orange Band. This downgrade will apply until the applicant (or a member of their prospective household) has demonstrated, to the satisfaction of the Council, the necessary ability to modify their conduct. In some cases this will include co-operating with support agencies. In most cases the downgraded status will be reconsidered where there has been no cause for complaint or concern against the applicant (or members of their prospective household) for a continuous period of one year.

112. At any time an applicant is entitled to request that the Council reconsiders these circumstances to determine whether the issues resulting in their being allocated a lower priority have been resolved to their satisfaction. The applicant will be expected to provide supporting information that these issues have been resolved, for example confirmation of repayment of former tenancy arrears.

Local Connection

113. Applicants are able to apply for social housing within Chorley from anywhere within the United Kingdom. However, in order to ensure that the Council meets the needs of the local community, reduced priority will be given to those people without a local connection. Applicants who do not have any local connection with Chorley Council will be assessed under the definition of local connection contained in Section 199 Housing Act 1996. Applicants without a local connection will have their priority reduced to Orange Band until they acquire a local connection with the Council. The definition of acquiring a local connection is determined by section 199 Housing Act 1996 and the Council can give any applicant advice on this criteria.

114. Applicants who do not have a local connection with Chorley but have been determined as being owed the full Homelessness duty under section 193(2) by the Council, are not be subject to any reduction in their priority as the Council is under a statutory duty to provide long term settled housing. Examples of such cases domestic abuse and harassment.

115. The following factors will be taken into account in determining whether or not an applicant has a local connection with Chorley. These include, but are not solely limited to, whether an applicant or a member of their household included in their application:

- has lived in the borough of Chorley by choice for a certain time (usually for six months out of the last 12 months or for three years out of the last five years);
- has close family living in the borough of Chorley, who have lived in the borough for at least the previous five years; (normally defined as parent/s or children.
- has settled employment in the Chorley borough or
- has special circumstances that give rise to a local connection.

116. For the purposes of determining local connection, living in the Chorley means living in permanent accommodation and will not include either:

- occupation of a mobile home, caravan or motor caravan which is not placed on a residential site; or
- occupation of a holiday letting which includes a permanent building, hotel or bed and breakfast accommodation for the purposes of a holiday.

Notification of downgrading of any reasonable preference

117. Any applicant whose priority is reduced will be provided with written notification of the decision that will contain the following information:

- 1) The reasons for the decision to remove reasonable preference
- 2) The Band that their housing circumstances would have warranted and the Band that they have been placed in as a result of the Council's decision (This will normally be Orange Band)
- 3) The applicant's right to appeal against the decision
- 4) What they have to do before they can be considered again for any higher Band warranted by their housing needs.
- 5) That any appeal against the decision must be made in writing within 21 days of written notification of the decision
- 6) That any appeal will be dealt with by a Senior Officer not involved in the original decision. All appeals will be dealt with within 56 days, and the applicant advised of the outcome.
- 7) That an applicant may request that their application be removed from the reduced priority Band at any time. The request for removal of the reduced priority must be made in writing and must set out how why the applicant believes that the removal of the reduced priority is now justified by the actions the applicant has taken since the reduced priority was awarded.

118. The Council will consider any request for the removal of the reduced priority classification within 14 days of receipt of the request. This consideration does not come under the criteria for a formal review. A letter will be sent to the applicant giving the Council's decision and will set out the Council's reasons for either granting or not granting the request. There is no further right of appeal, on top of the original right of appeal, to such decisions.

Review of Decisions

119. Any applicant has the right to request a Review of any of the following decisions:

- That they are not eligible under the Allocation Scheme, this includes decisions where the Council has deemed an applicant ineligible due to unacceptable behaviour.
- The categorisation of an application as a reduced priority case or where reduced priority has been given due to behaviour, current or former rent arrears, local connection, or an applicant's financial resources.
- About the facts of an applicant's case which have been, or is likely to be taken into account in considering whether to make an allocation to him.

120. It is important to note that any review request concerning the facts of the case is not a review of the decision itself but solely a review of the facts taken into account when making the decision. Therefore for example the Council's decision that an applicant is not entitled to reasonable preference on medical grounds cannot be subject to a review. It is only the Council's decision on the facts of the applicant's medical condition that can be subject to a review.

121. Any applicant wishing to request a Review of a decision must do so by contacting the Council directly in writing seeking a review. All Reviews will be dealt with by an officer of the Council, who was not involved in the original decision. All decisions following Reviews will be notified to the applicant in writing giving the reasons for the decision.

Changes of Circumstances

122. Applicants should notify the Council in writing of any change in their circumstances, for example:

- A change of address, for themselves or any other person on their application.
- Any additions to the family or any other person they would wish to join the application (N.B. it is for the council to decide whether they will allow a person/s to join the application).
- Any member of the family or any other person on the application who has left the accommodation.
- Any change in income or savings.

Members or staff of the Council, Chorley Community Housing or any other Housing Association Board Members or staff, including their immediate relations.

123. In order to ensure that the Council is treating all applicants fairly, any application for housing from the following applicants must be disclosed on the application form:

- a) Members of the Council or their immediate families,
- b) Employees, or their immediate families, of the Council or Chorley Community Housing or any other Housing Association operating in the Chorley area.

124. These applications will be assessed in the normal way but registration, eligibility, the assessment of housing need and any nomination to accommodation will require special approval by The Head of Housing at the Council.

Who qualifies for Reasonable Preference, under the Council's Allocation Policy and what Band will applicants be placed into.

125. The following criteria detail when someone would qualify for statutory reasonable preference under the Chorley Allocation Policy. Each of the statutory reasonable preference categories are set out below and how Chorley will assess whether an applicant may qualify under any one of the specific statutory reasonable preference category.

Reasonable preference category (A) - Homelessness Households who are homeless (within the meaning of Part VII of the 1996 Act, i.e. the Homelessness Legislation);

All applicants that fall into Reasonable Preference Group (A) will be granted Band 3.

126. This group comprises all households who are homeless under the definition of homelessness contained in Sections 175 to 177 of the Housing Act 1996 Part 7 whether or not they were assessed as a result of a formal homelessness application. It does not include those cases that have made a formal homeless application which has determined that they are owed a full homelessness duty under Section 193 or 195 of the Housing Act 1996.

127. This definition includes a person who does not have accommodation, which is legally and physically available to him or her, or has accommodation that is not reasonable for him or her to continue to occupy. Under this provision there is no requirement that an applicant should be in 'priority need' for accommodation, or that they have made a statutory homelessness application to the local authority under Part 7 of the Housing Act 1996. Where the Council has assessed that the applicant is homeless under this definition they will be awarded the Green Band priority.

128. Applicants may qualify under reasonable preference (A) if they are:

- Rough Sleepers
- Those who have no accommodation at all where they can live in along with other family members who normally live with them, or family members that the Council decides might reasonably be expected to live with them.
- Those who have accommodation but where in the Council's opinion it wouldn't be reasonable for them to continue to occupy it
- Those that have accommodation but they cannot secure access to it, or, in the case of a moveable structure, like a caravan, there is no lawful place they can lawfully live in it
- Those who have made a homelessness application and have been determined by the Council to be homeless but not in priority need, or found to be intentionally homeless but are no longer owed the limited temporary accommodation duty (normally 28 days) following a decision of intentional homelessness

Note the Council will award Additional Preference for members of this group where:

- an applicant has children, or is pregnant, or is a single person and they would be likely to be found to be in priority need if they became homeless and wished to pursue a homeless application under Part 7 of the Housing Act 1996, and
- the Council consider they will be physically homeless within 28 days and
- they accept a prevention option from the Council's Housing Options Team which will mean that their homelessness is prevented for a minimum of six months

After that six month period they will move up to be awarded Red Band priority rather than their Green Band priority, with an effective date from the date they entered the higher Band.

Important Note: Where a statutory homelessness application has been made and the applicant has been found to be owed a full homelessness duty as they have been found to be in priority need;

Unintentionally homeless, they will be awarded Red Band status under reasonable preference category

(B) Below and will not be awarded Green Band reasonable preference under reasonable preference category (A).

Reasonable preference category (B) – Homelessness households who are owed a duty by any housing authority under section 190(2), 193(2) or 195(2) of the 1996 Housing Act. All applicants that fall into Reasonable Preference Group B will be awarded Red band priority

129. Applicants will receive Red band to reflect their reasonable preference if they are homeless, in priority need and owed any duty under Sections 193(2), 195(2) or 190(2) of the Housing Act 1996 as amended.

People who would fall into reasonable preference (b) are:

- A person who is in priority need and unintentionally threatened with homelessness and the Council has accepted that it owes an applicant a full duty under section 195(2) as being threatened with homelessness in the next 28 days.
- A person who has been accepted as being owed the full homeless duty under section 193(2) i.e. those who are deemed homeless, in priority need and unintentionally homeless.
- A person who is owed a section 190(2) duty that have been assessed as being in priority need but are intentionally homeless and have been provided with accommodation for a period of time to enable them to secure their own accommodation. N.B. Priority under reasonable preference group B for the intentionally homeless is only awarded for the period of time the duty is owed. This is normally 28 days following the decision that the person is intentionally homeless but the exact time will be determined by the Council on an individual case basis.

For this short period of time intentionally homeless applicants will be given reduced preference Band 3 in recognition of the deliberate act or omission that led to that decision. After 28 days they will remain in Green Band having been awarded reasonable preference under Reasonable preference group, A which includes those households who are intentionally homeless but no longer owed an intentionally homeless accommodation duty.

Reasonable preference category (C) – People occupying unsanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions. All applicants that are determined as being owed reasonable preference under this group will be granted Blue band or Red band status depending on the severity of their housing need.

130. Reasonable preference will be awarded plus an award of additional preference resulting in Blue band status for: -

- A private sector property either owned or rented where a statutory notice has been issued by the Neighbourhoods Directorate that an unfit property is to be demolished under the Housing Act 2004;
- They are a private sector tenant and the Neighbourhoods Directorate has decided that the property poses a category one hazard under the Housing Health and Safety Rating System and the Council are satisfied that the problem cannot be resolved by the landlord within 6 months and as a result continuing to occupy the accommodation will pose a risk to the applicant's health. For those living in a property that is a category one hazard and as a result uninhabitable due to, for example, severe damp, major structural defects including subsidence, flooding, collapse of roof, or have living conditions which are a statutory nuisance, and there is no prospect of the problems being remedied within a six month time period. In exceptional cases where the problem can be rectified within six months but the impact on the applicant of remaining would be considerable the exceptional circumstances and Welfare Panel (comprising of the Head of Housing, The Homelessness and Housing Advice Manager, Allocations & Housing Advice officer) and will decide if reasonable preference will be granted.

- Those that are Statutory overcrowded as strictly defined by the Housing Act 2004.

131. Note: The assessment of all cases under the above criteria will be carried out by the Council's Housing Options Team taking advice from the Neighbourhoods Directorate (or any other council if the property is outside of the Chorley area).

132. Note: Those who are statutory overcrowded as defined by the Housing Act 2004 will not meet these criteria if this is as a result of an applicant voluntarily agreeing to house additional member of their extended family or friends.

133. Note: Those overcrowded by three bedrooms or more under the bedroom standard but are not statutory overcrowded will be granted reasonable preference but not granted additional preference and will be placed into Red band.

134. For those applicants where their housing conditions or level of overcrowding mean that it is not reasonable for them to continue to occupy their overcrowded accommodation and as a result they are owed a Statutory homeless duty under section 193(2) of the Housing Act 1996, will result in an award of reasonable preference for the statutory homeless duty under reasonable preference group B rather than under his group C.

An applicant will also be awarded Band 2 status if they lack access to any of the following. Shared access in Housing in Multiple Occupancy counts as access and would not lead to any award: Band 2 will be awarded for those applicants who lack access to:

1. A bath or shower
2. A toilet
3. Cooking facilities
4. Running hot water supplies
5. Electric/gas needed for essential activities

Reasonable preference category (D) – Medical, disability and welfare. All applicants assessed as owed reasonable preference for medical, disability or welfare grounds will be granted Blue or Red Band priority depending on the severity of the impact of their housing on their condition. All other applicants will be granted Yellow Band as detailed below.

135. This reasonable preference category includes any applicant for accommodation whose health, disability or welfare, or that of a member of their household, is significantly impaired by remaining in their current accommodation and there is as a result a need to move.

Medical Grounds or Grounds of Disability: Reasonable preference is awarded by the Council following an assessment of an applicant's need to move due to medical or disability needs. An assessment may be made by a member of the Housing Options Team and will be informed, but not determined solely, by set criteria for routine medical conditions, or for more serious cases following a recommendation from a qualified Medical Advisor appointed by the Council.

An applicant's circumstances will normally be referred for a medical assessment if an applicant has indicated that there is a medical or disability problem that is made substantially worse by their current housing. Otherwise their circumstances will be assessed by a Housing Options Team leader who will consider standard criteria in making any assessment. Priority will be given depending on how unsuitable the current accommodation is in relation to their medical, welfare or disability needs. The assessment is not of the applicant's health but how their accommodation affects their health or welfare. Only in exceptional cases will the detrimental effect on health or welfare be caused by the location of the accommodation itself rather than the physical condition or nature of the accommodation occupied. The Council's Welfare Panel will consider such exceptional cases.

When will Blue band for very urgent medical reasons be awarded?

136. An applicant that has an urgent need to move for medical reasons or due to their medical problems or disability will be awarded reasonable preference and additional preference and placed in the Blue band.

The following are examples of cases that would qualify for Blue band status under one of the statutory reasonable preference categories. I.e. medical, welfare or disability needs.

- A. Where an applicant's condition is expected to be terminal within a period of twelve months and re housing is required to provide a basis for the provision of suitable care.
- B. A member of the household seeking accommodation cannot be discharged from hospital or rehabilitation accommodation until suitable housing is provided and the household had settled accommodation in the Chorley area prior to hospital admission
- C. The condition is life threatening and the applicant's existing accommodation is a major contributory factor
- D. The applicant's health is so severely affected by the accommodation that it is likely to become life threatening
- E. A member of the household is elderly, disabled or has a progressive illness and is likely to require admission to hospital or residential/nursing care in the immediate future and re-housing would enable that person to remain living at home.
- F. People who are completely housebound because of the type of accommodation they live in.

When will Red Band for medical reasons be awarded?

137. Where an applicant's housing is unsuitable for severe medical reasons or due to their disability, but who are not housebound or whose life is not at risk due to their current housing, but whose housing conditions directly contribute to causing serious ill-health. If this is the case they will be awarded reasonable preference and placed into Red Band. This will normally be assessed by a Council Housing Options Advisor being informed by set criteria, and may or may not need to be referred to a medical advisor, depending upon the circumstances.

138. The following are examples of cases that would qualify for Red Band status under one of the statutory reasonable preference categories. I.e. medical, welfare or disability needs.

- The applicant is unable to mobilise adequately in their accommodation and requires re housing into accommodation suitable for their use.
- The applicant's accommodation is directly contributing to the deterioration of the applicant's health such as severe chest condition requiring intermittent hospitalisation as a result of chronic dampness in the accommodation.
- Where overcrowding in the property leaves the applicant at risk of infection, for example, where an applicant is undergoing chemotherapy or suffering from full blown AIDS.
- Children with severe conditions such as autism, or cerebral palsy where their long term needs cannot be met without settled accommodation.
- A member of the household seeking accommodation is disabled and re-housing will enable that person to overcome physical barriers created by current accommodation for example, steps and stairs.
- A person with a severe disability requiring substantial adaptations to a property which is not provided for in their current accommodation
- A person with a terminal illness or long term debilitating condition whose current accommodation is not having a significant impact on their condition but where their quality of life would be significantly improved by moving to alternative settled accommodation, which may or may not be closer to support.

Welfare Issues

138. Those applicants that qualify for reasonable preference on welfare grounds will be those urgent cases that require care and support needs or have other social needs that do not require medical care or support. In Chorley there are groups that will be awarded reasonable preference for welfare needs. These include those leaving care or who are ready to move on from specific supported

housing schemes that need a stable base from which to build a secure life.

138. The Council wants to ensure that care leavers and other vulnerable people with support needs are helped to access secure and suitable long-term housing. It is important that they are only nominated to move on accommodation therefore once they are assessed as ready to move on. Therefore their application will be registered but may be deferred. The Council will not therefore allocate reasonable preference under this category until the person has been assessed as being ready to move on. The following cases in supported accommodation or care will qualify for Reasonable preference and additional preference under this category and placed to the top of Blue Band when they have been assessed as being ready to move on:

- The Bridge
- The Charnocks
- Chorley Womens' Refuge
- Stonham ExOffender
- Parker Street
- Cotswold Supported Housing Scheme

A person who has been awarded move on priority having been assessed as ready to move on to long term settled housing. There are two categories of cases: move on Supported Housing Projects and Move on from care. These are detailed below:

Move on Supported Housing Projects

139. Applicants will be awarded this category for certain listed projects in accordance with protocols agreed between the Council and the voluntary sector body. Not all applicants who occupy named supported housing projects will qualify for reasonable preference. They must have vulnerability and urgent housing need that is best met by the provision of long-term settled housing. All other cases will not be owed reasonable preference under this category and will be expected to be assisted by the project with support from the Housing options service to move on to private rented sector accommodation. The criteria for an award of reasonable preference will be:

- An applicant is ready to move to independent settled housing
- The applicant is in need of long term rather than short-term ongoing tenancy support.
- That support package has been assessed and is in place.
- An applicant's vulnerability is such that accommodation in the private rented sector would through its short term have a detrimental effect on their vulnerability.

Move on from Care

140. Applicants are awarded this category in accordance with protocols between Chorley Council and Lancashire County Council's Children Services Department. Applicants must be a former "Relevant Child" as defined by the Children Leaving Care Act 2002. As with the need to move on from supported accommodation not all care leavers will qualify for reasonable preference. They must have vulnerability and urgent housing need that is best met by the provision of long-term settled housing. All other cases will not be owed reasonable preference under this category and will be expected to be assisted by the Children's Services with support from the Housing options service to move on to private rented sector accommodation. The criteria for an award of reasonable preference will be:

- A care leaver is ready to move to independent settled housing and is genuinely prepared for a move to independent living.
- They possess the life skills to manage a tenancy including managing a rent account.
- The care leaver is in need of either a long term or medium term tenancy support.
- That support package has been assessed and is in place.
- Their needs are such that accommodation in the private rented sector would through its short-term nature have a detrimental effect on their transition to independent living.

141. Those applicants who need to move on welfare grounds due to infirmity caused by old age.

These cases will have their welfare need recognised and reasonable preference awarded. An assessment of an applicant's need to move due to infirmity caused by old age will be made by the Council Housing Options Team taking into account information provided by one or more of the following:

The Council's Medical Advisor who will have considered any information provided by:

- The applicant's GP or consultant.
- Social Services.
- Occupational Therapist.
- Age Concern or any other voluntary sector organisation representing the applicant.

142. Priority award from the Council's Welfare Panel. With the exception of elderly infirm applicants and those leaving care or who are ready to move on from specific supported housing schemes that need a stable base from which to build a secure life, the award of reasonable preference Priority on welfare grounds will be made by the Council's Welfare Panel. Full lists of the types of cases that will be considered by the panel are set out at appendix 5.

Reasonable preference category (E) – People who need to move to a particular locality within the local authority’s district, where failure to meet that need would cause hardship to themselves or to others. Details of when Reasonable Preference will be granted for this group and what Band are given below.

142. This category applies to those who need to move to a particular area in the Chorley borough, where failure to meet that need would cause hardship to themselves or others. The Government’s Code of Guidance suggests that people may fall into this category if they need to move in order to give or receive care, to be able to access specialist medical treatment, or to take up particular education, employment, or training opportunities in a particular locality.

It should be noted that the Chorley borough is geographically compact with good transport links. In addition the need to move should be sufficiently great that hardship would be caused if they did not move effecting health or leading directly to an inability to take up employment or training opportunities. Given the good transport links and compact nature of the Chorley Borough it will be only be in limited circumstances that an award of reasonable preference will be made. Reasonable preference priority would not normally be awarded to applicants who claim that they require ongoing support from relatives or friends, unless there is severe mental health, medical or welfare issues relating to this person or a member of this person’s household and exceptional reasons why this support cannot be made available through a reliance on public transport or the applicant’s own transport. Such cases will be submitted to the Council’s Welfare panel.

143. When will reasonable preference be awarded on hardship grounds?

- a) Need to move on hardship grounds – domestic abuse, extreme violence or extreme harassment.
(To be awarded Red Band)

People who have satisfied the Council that they are fleeing severe harassment or violence from inside or outside of the home but they have not been accepted as being owed a statutory homelessness duty as a result of that violence or harassment.

Note: A statutory homeless duty applies if the applicant applies as homeless and a full duty is accepted. Those cases that do not apply as homeless and wish to remain with relatives or friends can be awarded reasonable preference under this group without going through the homelessness route.

- b) Hardship will be awarded to tenants of a Housing Association in the Chorley Borough who occupy a specially adapted property and where the move will free up this accommodation for a high need disabled household. **(Blue Band because RP plus additional preference will be awarded)**
- c) Or tenants of a Housing Association in the Chorley borough who occupy a 3, 4 or 5 bedrooms or larger property than needed by 2 bedrooms or more and where the move will free up this accommodation for a severely overcrowded household. **(Red Band RP)**

143. Waiting Time

When an applicant has been placed into a Band their position within their allocated Band will be determined by the time they were registered for that Band with the exceptions listed above in the policy.

Note: if an applicant is moved into a different Band due to a change in circumstances, their priority date will be considered as effective from the date that they were moved into the new Band when moving up in priority. If moving down a Band they will retain the original registration date.

The exception to this is for applicants who have been given reduced priority. Where an applicant owed reasonable preference has had that preference reduced but takes action that resolves the issue to the satisfaction of the Council so that the reduced preference is removed, they will re-enter the Band appropriate to their current circumstances and if this is the same Band they held before their preference was reduced will retain their original effective date for that Band.

Appendix 1 – Summary of the Bands

Priority Bands

Note the descriptions used below are a summary of the criteria for qualification under each Band. This is not a substitute for the full detailed policy on when priority will be awarded which is contained in the relevant section of the Policy itself.

Blue Band: Urgent Need Band due to additional preference being granted to certain groups who are owed reasonable preference.	All of the following are owed a statutory reasonable preference
Emergency Medical, or disability (RP-D)	Emergency Medical Emergency banding is granted only in exceptional circumstances. This includes when the applicant or a member of the applicant's household has a life threatening condition, which is seriously affected by their current housing, or their home cannot be accessed due to ill health or disability. A full list of circumstances where an award of emergency medical priority is given in the Policy.
Exceptional need to move determined by the Head of Housing or the Exceptional Circumstances and Welfare Panel (RP-D)	<ul style="list-style-type: none"> • Agreed in exceptional circumstances due to significant problems associated with the tenant's occupation of a dwelling in the social or private rented sector and there is high risk to the tenant or their family's safety if they remain in the dwelling/area. For social housing tenants transfers will be to properties of the same size and type where required, but locations or areas are likely to change. A full list of the cases that would qualify is detailed in the policy. • Emergency need to move determined by the Exceptional Circumstances and Welfare Panel
Release adapted property (RP-E)	Where a tenant does not require a specially adapted property for disabled use, and there is a demand for its use from a disabled applicant in high housing need.
Statutory Overcrowded (RP-C)	Those that are Statutory overcrowded as defined by the Housing Act 2004.
Private sector properties unsanitary or unfit. (RP-C)	<ul style="list-style-type: none"> • A private sector property either owned or rented where a statutory notice has been issued by the Neighbourhoods Directorate that an unfit property is to be demolished under the Housing Act 2004; • They are a private sector tenant and the Council has decided that the property poses a category 1 hazard under the Housing Health

	<p>and Safety Rating System and the Council are satisfied that the problem cannot be resolved by the landlord within six months. Further, as a result continuing to occupy the accommodation will pose a risk to the applicant's health. This includes a property that has severe damp, major structural defects including subsidence, flooding, collapse of roof, or have living conditions which are a statutory nuisance, and there is no prospect of the problems being remedied within a six month time period.</p>
<p>Those living in Supported Housing who have been assessed as ready to move on to independent living (RP-E)</p>	<p>Applicants will be awarded this category for certain listed projects in accordance with protocols agreed between the Council and the voluntary sector body. Not all applicants who occupy named supported housing projects will qualify for reasonable preference. They must have vulnerability and urgent housing need that is best met by the provision of long-term settled housing.</p>
<p>Leaving care (RP-E)</p>	<p>Applicants are awarded this category in accordance with protocols between Chorley Council's Housing and Lancashire County Council Children Services Department. Applicants must be a former "Relevant Child" as defined by the Children Leaving Care Act 2002. They must have vulnerability and urgent housing need that is best met by the provision of long-term settled housing.</p>
<p>Red Band: Need to move – Reasonable Preference – high need</p>	<p>All of the following are owed statutory reasonable preference.</p>
<p>Homeless Households owed a full homeless duty under section 193(2) or 195(2) (RP-B)</p>	<p>Accepted statutory homeless cases owed a full homelessness duty by Chorley Council. (Note for cases owed a full homeless duty by any other Council they will receive a reduced preference for not having a local connection to the borough of Chorley).</p>
<p>Overcrowded by the Bedroom standard for overcrowding (RP-C)</p>	<p>Applicants overcrowded by 2 bedrooms or more according to the Bedroom standard for overcrowding.</p>
<p>Applicants living in unsatisfactory Housing that lack basic facilities (RP- C)</p>	<p>Applicants without access to any of the following:</p> <ol style="list-style-type: none"> 1. A bath or shower 2. A toilet 3. Cooking facilities 4. Running hot water supplies 5. Electric/gas needed for essential activities
<p>Under occupying (RP-E)</p>	<p>Tenants of a housing association in the Chorley borough who are under-occupying family accommodation by two or more bedrooms in comparison with the Bedroom Standard and moving will free up accommodation required for a severely</p>

	overcrowded household.
Homeless Prevention after 6 months of a prevention option being chosen. (RP-A)	<ul style="list-style-type: none"> ➤ An applicant has children, or is pregnant, or is a single person who would be likely to be found to be in priority need and ➤ The Council consider they will be physically homeless within 28 days and ➤ They accept a prevention option from the Council' Housing Options Team which will mean that their homelessness is prevented for a minimum of 6 months <p>After that 6-month period they will be awarded Band 2 priority rather than their Band 3 priority with an effective date from the date they were awarded Band 2.</p>
Medical grounds (RP-D)	Applicants who have an urgent need to move on medical grounds because their current home is having a severe adverse effect on the health of a member of the household, but who do not qualify for Band 1 urgent medical priority (see the main policy for details of how Band 1 and Band 2 Medical priority will be assessed).
Award from the Exceptional Circumstances and Welfare panel (RP – D)	Where the Exceptional Circumstances and Welfare Panel have made a Band 2 award due to the exceptional circumstances or extreme welfare need. The criteria for awarding Band 2 priority are set out in the main Policy.
Green Band: Reasonable Preference recognisable need	
Applicants who are entitled to reasonable preference as being non-priority homeless, intentionally homeless or homeless within the meaning of part 7. (RP-A).	Applicants who are entitled to reasonable preference as being non priority homeless, intentionally homeless or homeless within the meaning of Part 7 of the Act
Homeless Prevention after 3 months of a prevention option being chosen. (RP-A)	<ul style="list-style-type: none"> ➤ An applicant who has children, or is pregnant, or is a single person who would be likely to be found to be in priority need due to vulnerability and

	<ul style="list-style-type: none"> ➤ The Council consider they will be physically homeless within 28 days and ➤ They accept a prevention option from the Council' Housing Options Team which will mean that their homelessness is prevented for a minimum of 6 months
Housing Need Age (RP-D)	Applicants 60+ seeking sheltered accommodation
<p>Orange band: Applicants owed Reasonable preference but who have been awarded reduced preference under the Policy. Due to rent arrears, behaviour, no local connection, savings, equity or earnings. Or where 2 offers have been refused.</p> <p>Community Priority</p> <p>Applicants not assessed as being owed reasonable preference but who meet the partnership positive community criteria</p>	
<p>Applicants who would have been owed reasonable preference but whose priority has been reduced according to the policy detailed in the main policy document for rent arrears, behaviour, no local connection, savings, equity or earning or for refusing 2 offers of accommodation.</p>	<p>Applicants will be awarded the reasonable preference that their assessed needs warrant once they have complied with the criteria for the removal of reduced preference. This is fully set out in the policy.</p> <p>Those employed or undertaking training within the borough to which they are applying Transfer applicants with a positive tenancy history in accordance with the policy</p> <p>Applicants that can demonstrate a contribution to the local community such as voluntary work. This could be specific to the area where the work takes place or could be tenants on an estate with positive work on that estate</p> <p>Applicants with a family connection to specific areas where a move is needed due for caring or specific support purposes.</p> <p>Applicants who are key workers as defined by the Council</p>

	<p>Second generation applicants whose parents have a positive tenancy history regardless of sector housed Applicants in private rented sector who have a positive tenancy history assessed through reference including a good rent record, maintaining a property in good condition, and no complaints of anti social behaviour</p>
<p>Yellow band: Applicants with no recognisable Housing Need</p>	<p>All other Applicants plus</p> <p>Cases where an applicant or a member of the household is considered to be guilty of unacceptable behaviour serious enough to make them unsuitable to be a tenant, and at the time of application for housing they are still considered unsuitable to be a tenant by reason of that behaviour, but where the Council believes that the applicant or member of their household is prepared to take action to address that behaviour. In such cases the council will agree to register the applicant but award no preference at all until they have fully resolved through action the behaviour to the satisfaction of the Council.</p>

APPENDIX 2

Bedroom Standard and Type of Accommodation

When deciding the size of property for which applicants will be eligible, the following Bedroom Standard will be used.

Bedroom Standard				
Household Size	Number of bedrooms			
	1	2	3	4
Single Person	✓			
Couple wishing to live together	✓			
28+ weeks pregnant woman with or without partner and no other children	✓	✓		
In exceptional cases e.g. where there are care needs adult siblings wishing to live together	✓	✓		
Parent(s) with one child		✓		
Parent(s) with two children		✓	✓	
Parents with three or more children regardless of age or sex			✓	✓

When deciding whether an applicant and his or her household is under-occupying accommodation, or lacks two or more bedrooms to assess eligibility for Priority Blue Band, the lower number of bedrooms shown against each size of household will be used as the “standard” number of bedrooms required for the household concerned. For example a parent with two children who is living with parents and has the use of one bedroom will be deemed to lack one bedroom.

Type of accommodation

Sheltered housing will normally be available only for applicants over state pension age.

Accommodation that is designated as supported housing will be available only for applicants who are eligible for that particular accommodation. For example, some supported housing is provided exclusively for people with learning difficulties, or for young people leaving care.

Where accommodation is available only for applicants who satisfy such special criteria, this will be clearly recorded in the notes page of the nomination.

Size and type of property for which applicants are eligible

In order to make the best use of the available housing stock, it is essential to let vacancies to those who need that size and type of property. Examples include houses with two or more bedrooms to be let to families with young children, sheltered housing flats for older people and properties that have been built or adapted for a person with a physical or sensory disability.

When deciding the size and type of property for which applicants are eligible, the Bedroom Standard in Appendix 2 will normally be used.

In exceptional circumstances, the Homelessness and Housing Advice Manager may exercise discretion in deviating from the Bedroom Standard. Examples are:

- a) For those applicants who are separated or divorced and sometimes care for their children, the Senior Housing Options Team leader will consider how often and for how long the children stay with them. If appropriate, that officer may exercise discretion and award additional bedrooms for the children in accordance with national guidance.
- b) Where applicants require larger accommodation on health grounds. The Senior Housing Options Team leader will consider this on a case-by-case basis, taking into account the advice of a qualified medical advisor.
- c) Where there is little or no demand for a particular vacancy, and it is therefore difficult to let.
- d) Where no suitable applicants can be identified to make the best use of larger accommodation.
- e) Where the applicant has been approved as a foster carer by Children's Services, and so will need a larger property than normally required by the household.
- f) Where the applicant or a member of the household needs the support of a carer who will need to sleep in the home and cannot reasonably be expected to share a bedroom with another member of the household. See paragraph below for more information about including a carer in a housing application.

Including a Carer in the application

A carer is someone who with or without payment provides help and support to a partner, relative, friend or neighbour, who would not manage without their help. This could be due to age, physical or mental health, addiction, or disability. In all cases the carer must have been identified by the applicant as the person who is primarily responsible for providing them with care and the need to live with them or near them.

Even if a carer is in receipt of Carer's Allowance this does not necessarily mean that it is necessary for them to reside with the person who is being cared for. An application to include a carer in a housing application will be considered if Social Care and Health have assessed the carer as needing to provide overnight support. In these circumstances the applicant must provide supporting evidence from other agencies e.g. Social Care or a Health professional.

In some limited circumstances it may be possible to consider cases where the carer is not in receipt of Carer's Allowance. Under these circumstances it will still be necessary for the applicant to demonstrate that the person looked after is in receipt of one of the following benefits:

- ✓ Carers Allowance
- ✓ Disability Living Allowance – paid at either the middle or higher rate for personal care.
- ✓ Attendance Allowance
- ✓ Constant attendance Allowance

- ✓ Disablement benefit.

APPENDIX 3

The reasonable preference categories in section 167(2) of the Housing Act 1996 are:

- I. People who are homeless (within the meaning of Part 7 of the Act);
- II. People who are homeless and in priority need but homeless intentionally;
- III. People who are homeless and in priority need and not intentionally homeless;
- IV. People threatened with homelessness and in priority need and not intentionally homeless;
- V. People who are not intentionally homeless but not in priority need;
- VI. People occupying unsanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions.
- VII. People who need to move on medical or welfare grounds (including grounds relating to disability).
- VIII. People who need to move to a particular locality in the district of the authority, where failure to meet that need would cause hardship to themselves or others.

Appendix 4: Officer Roles and Responsibilities

The power to operate the Allocation scheme in Chorley is a power delegated by full Council in accordance with the Council's powers for delegation.

Under Section 167 Housing Act 1996 as amended by 2002 Homelessness Act.

“Every local Housing authority shall have a scheme (their allocation scheme) for determining priorities and as to the procedure to be followed, in allocating housing accommodation. For this purpose ‘procedure’ includes all aspects of the allocations process, including the persons or descriptions of persons by whom decisions are to be taken.”

To meet this legal requirement the following table sets out what officers (in terms of post and level of responsibility) will take decisions under the Council's Allocation scheme.

Officer Designation	Role and Responsibilities
Housing Options Team Registration and Assessment Officer/s	<ol style="list-style-type: none"> 1. Provision of advice and assistance including telephone advice and interviewing 2. Inputting data relating to individual applications 3. Answering general queries by telephone, in writing, and in person 4. Verification of documents and applicant circumstances 5. Assessment of incoming applications against the Council's scheme, including decisions on eligibility in respect of immigration or serious behaviour. 6. Assessment of nil or reduced preference and when any reduced preference restriction can be lifted according to the criteria.
Homelessness and Housing Advice Manager responsible for Allocations	<ol style="list-style-type: none"> 1. Undertaking Statutory Reviews 2. Checking 10% paperwork on all allocation decisions made by the Housing Registration team 3. Monitoring allocations and nominations 4. Deciding on complicated cases that require referral up from the Housing Registration team 5. Deciding which exceptional cases or welfare cases need to be considered by the Housing Welfare and Exceptional circumstances panel. 6. Awarding priority for emergency cases whose homes are damaged by flood, fire or other disaster may be provided with another tenancy if it is not possible to repair their existing accommodation. 7. Awarding priority for households who on police or Social Services advice must be moved immediately as a matter of urgency. 8. Awarding priority for households from outside the area where the Council owes another local authority or Housing Association a nomination to someone on an urgent reciprocal basis, such as where an applicant has had to be re housed outside the area due to domestic abuse.
Welfare Panel	See Appendix 5 below for details of how the panel will operate

Appendix 5: Welfare Panel

Terms of Reference

The panel will consider cases where:

1. An applicant has an exceptional need that is not covered by the Allocation Policy.
2. Welfare cases that need to be assessed to determine if they are owed reasonable preference and do not fall within the routine welfare groups listed in the policy such as those in supported housing who are ready to move on and are in need of long term settled accommodation.

The panel will consist of the Head of Housing, Homelessness and Housing Advice Manager and the Allocations & Housing Advice Officer. Representatives from the RSLs may also be asked to attend.

Cases considered by the panel will be, depending on their circumstances awarded either reasonable preference or additional preference, reasonable preference alone or will not be awarded reasonable preference. Where additional preference is awarded an applicant will either be placed at the bottom of Band one or in extreme urgent cases will be awarded additional preference and placed to the top of Band 1.

Members will receive an Annual Statement as to how the Service has allocated all Housing due to it under nomination rights including the circumstances where it has exercised its management discretion in exceptional circumstances under this policy. It is the responsibility of the Head of Housing to ensure that evidence based assessments of exceptional circumstances are made and recorded fully to ensure a fair and transparent process and those cases can be fully scrutinised by members of the Council to ensure that they fully met the exceptional circumstances criteria.

The Panel will consider housing need having regard to the needs of an applicant and the members of his/her household. The Panel will consider the following types of cases listed below; however this list is not exhaustive. Written representations can be received from an applicant and their representative and or professional body:

- Applicants with medical problems that are not sufficient on their own to confer priority, but where there are other relevant social factors.
- Needing more settled accommodation in order to deal with child protection issues arising under the Children Act: -
- The household seeking accommodation has welfare needs so severe that the protection of vulnerable adults or children is only possible if the household were to move to a new home and where the present circumstances could deteriorate to such an extent as to place household members at risk, or in need of residential care unless re-housing is offered.
- Families with a child with behavioural difficulties, which may require an additional bedroom or particular type of accommodation.
- Requiring additional space such as for a carer or to foster.
- The risk level of a potentially vulnerable person continuing to live in his/her current address.
- The need for rehousing due to irreconcilable neighbour difficulties.
- Requests to agree exceptions to established policies e.g. reduced preference due to former or current rent arrears, where to adhere to the policy would cause special hardships.

- Requests to agree an applicant for any type of special housing provision, for example, floating support, supported housing because of a learning difficulty, mental health problems, alcohol or drug misuse, sensory difficulties, a need for low-rise or low density accommodation or accommodation in specific areas of the borough to give or receive support etc.
- Requests to transfer following harassment including, verbal abuse, insults, intimidation, damage to property or possessions, threatening or abusive behaviour, racist, homophobic or other abusive graffiti, unprovoked assaults including common assault, actual bodily harm and grievous bodily harm, use of dogs, arson and attempted arson, threatening letters, witnesses of crime, or victims of crime, who would be at risk of intimidation amounting to violence or threats of violence if they remained in their current homes.
- Requests for a transfer or rehousing where there has been a bereavement or personal tragedy in the property or area.